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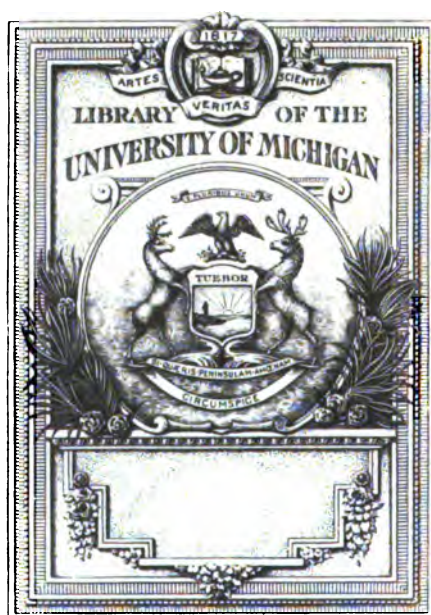
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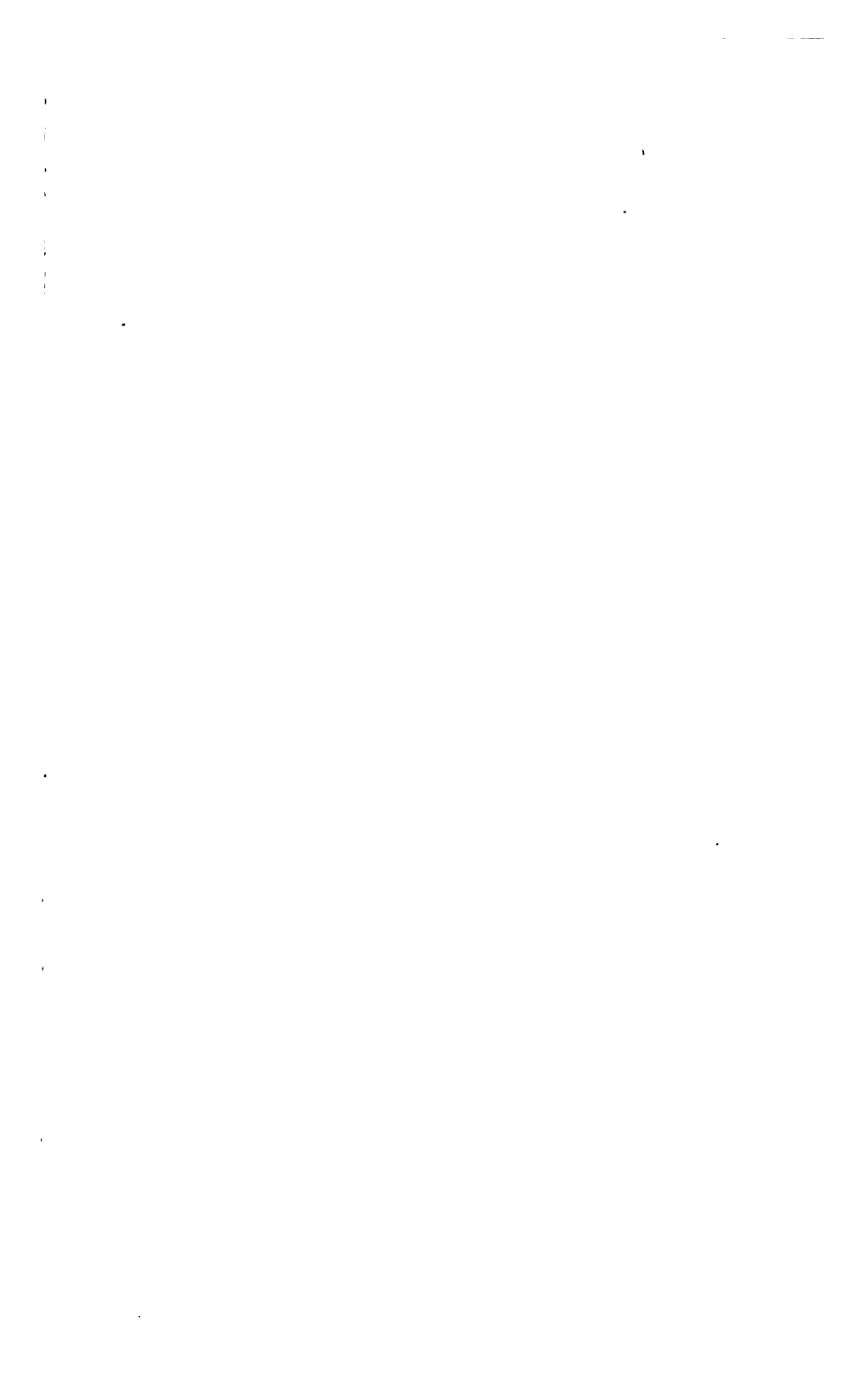
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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF MICHIGAN.

1871.

Printed by virtue of an Act of the Legislature, under the direction and supervision of
NELSON B. JONES,
Clerk of the House of Representatives.

PART III.



BY AUTHORITY.



LANSING:
W. S. GEORGE & CO., PRINTERS TO THE STATE.
1871.

4

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs. Brown, Childs, Clement, Fenton, Crofoot, McGonegal, C. Y. Osburn, Smith, Swineford, Tobey, and Walker.

On motion of Mr. Millington,

Leave of absence was granted Mr. Tobey for the evening.

On motion of Mr. Ross,

Leave of absence was granted Mr. Crofoot for the evening.

On motion of Mr. Huston,

All further proceedings under the call were dispensed with.

House bill No. 310, entitled

A bill to amend sections 12, 13, and 14, of act No. 82, of the session laws of 1869, being an act to amend sections 12, 13, 14, and 15, of chapter 151, of the revised statutes of 1846, being sections 5756, 5757, 5758, and 5759, of chapter 181, of the compiled laws, entitled "Of offenses against property," approved March 30th, 1869,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Barnaby,

The bill was amended by inserting, in line 2, of section 12, and line 3, of section 14, after the word "mill," the word "school-house."

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gray,	Mr. Millington,
Adams,	Green,	Minne,
Adsit,	Greusel,	Montgomery,
Atwood,	Grosvenor,	Moshier,
Barnaby,	Haack,	Norris,
Bates,	Harris,	Pattengell,
Brockway,	Hart,	Phillips,
Chamberlain,	H. Haynes,	Post,
Climie,	J. Haynes,	Priest,
Cochrane,	Haywood,	Riford,

Mr. Congdon,	Mr. Hazen,	Mr. Rood,	
Copley,	N. R. Hill,	Roost,	
Coulter,	S. W. Hill,	Ross,	
Crane,	Holland,	Runyan,	
Doty,	Hoyt,	Sumner,	
Edwards,	Huff,	Thayer,	
Ferris,	Hughes,	Van Scoy,	
Ferry,	Hurlbut,	Walton,	
Garfield,	Huston,	Webster,	
Gibson,	Knapp,	Wells,	
Gillam,	Lamb,	White,	
C. B. Grant,	E. R. Miller,	Williams,	
Gorman,	R. C. Miller,	Speaker,	69
	NAYS.		0

Title agreed to.

House bill No. 307, entitled

A bill to amend sections 24, 26, 28, 31, 33, and 34, of act number 136, of session laws of 1869, entitled "An act relative to the organization and powers of fire and marine insurance companies transacting business within the State," approved April 3, 1869, and to add a new section thereto,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Greusel,	Mr. Millington,
Adams,	Grosvenor,	Minne,
Adsit,	Haack,	W. H. C. Mitchell,
Atwood,	Harris,	Norris,
Barnaby,	Hart,	Pattengell,
Bates,	H. Haynes,	Pearl,
Brockway,	J. Haynes,	Phillips,
Climie,	Haywood,	Post,
Cochrane,	Hazen,	Priest,
Copley,	N. R. Hill,	Riford,
Coulter,	S. W. Hill,	Roost,
Doty,	Holland,	Runyan,
Edwards,	Hoyt,	Sumner,
Ferris,	Huff,	Thayer,
Ferry,	Hughes,	Walton,
Garfield,	Hurlbut,	Webster,
Gibson,	Huston,	Wells,
Gillam,	Knapp,	White,

Mr. C. B. Grant, Gray, Green,	Mr. Lamb, R. C. Miller,	Mr. Williams, Speaker	61
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NAYS.

Mr. Chamberlain, Congdon,	Mr. E. R. Miller,	Mr. Rood,	4
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The question being on agreeing to the title,

On motion of Mr. J. Haynes,

The title was amended by inserting after the word "sections," the word "six."

The title, as amended, was then agreed to.

On motion of Mr. Gillam,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 308, entitled

A bill to confirm the powers, rights, and privileges of the board of metropolitan police in the city of Detroit, and its officers and appointees, as organized and appointed under and by virtue of an act entitled "An act to establish a police government in the city of Detroit," approved January 24th, 1865,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam, Adams, Adsit, Atwood, Barnaby, Bates, Cameron, Chamberlain, Olimic, Cochrane, Congdon, Copley, Coulter, Crane, Doty, Edwards, Ferris,	Mr. Gray, Green, Greusel, Grosvenor, Haack, Harris, Hart, H. Haynes, J. Haynes, Haywood, Hazen, N. R. Hill, S. W. Hill, Holland, Hoyt, Huff, Hughes,	Mr. Millington, Minne, W.H.C. Mitchell, Moshier, Norris, Pearl, Pattengell, Phillips, Post, Priest, Riford, Rood, Roof, Ross, Sumner, Thayer, Van Scoy,
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Mr. Ferry, Garfield, Gibson, Gillam, C. B. Grant, Gorman,	Mr. Huston, Knapp, Lamb, E. R. Miller, N. L. Miller, R. C. Miller,	Mr. Walton, Wells, White, Williams, Speaker,	68
	NAYS.		0

Title agreed to.

On motion of Mr. Cochrane,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 117, entitled

A bill to amend sections 1, 2, 3, 4, 6, 10, 11, 14, 17, 18, 19, 20, 21, 24, 26, 29, 30, 31, and 33, of act No. 43, of laws of 1869, being "An act to provide for the draining of swamps, marshes, and other low lands," approved March 22, 1869,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Coulter moved to amend the bill by striking out of section 9 the words, "and pay the costs and expenses up to this time;" also, by inserting after the word "year," the following: "*Provided*, The expenses thus far incurred shall be paid by the petitioners;"

Which motion did not prevail,

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam, Adsit, Andrews, Atwood, Barnaby, Bates, Brockway, Cameron, Chamberlain, Climie, Cochrane, Copley, Coulter,	Mr. Gillam, C. B. Grant, Gorman, Gray, Grosvenor, Haack, Harris, Hart, H. Haynes, J. Haynes, Haywood, Hazen, N. R. Hill,	Mr. Hughes, Hurlbut, Lamb, E. R. Miller, Millington, W.H.C. Mitchell, Montgomery, Norris, Pattengell, Post, Priest, Riford, Rood,
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Mr. Crane, Ferris, Ferry, Garfield,	Mr. S. W. Hill, Holland, Hoyt, Huff,	Mr. Runyan, Sumner, Walton, Speaker,	51
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NAYS.

Mr. Adams, Congdon, Doty, Edwards, Garrison, Gibson, Green,	Mr. Greusel, Huston, Knapp, N. L. Miller, R. C. Miller, Minne, Moshier,	Mr. Pearl, Phillips, Roost, Van Scoy, Webster, White, Williams,	21
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The question being on agreeing to the title,

On motion of Mr. Copley,

The title was amended by inserting between the words "six," and "ten," the word "nine."

The title, as amended, was then agreed to.

On motion of Mr. Adsit,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 311, entitled

A bill to amend section 86, of an act entitled "An act to amend chapter 93, of the revised statutes of 1846, entitled "Of courts held by justices of the peace," the same being section 3738, of the compiled laws, being act No. 44, of the session laws of 1861, as amended, approved February 14, 1861,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam, Adams, Adsit, Andrews, Barnaby, Bates, Brockway, Cameron, Chamberlain, Climic, Cochrane,	Mr. C. B. Grant, Gorman, Gray, Green, Greusel, Grosvenor, Haack Hart, H. Haynes, J. Haynes, Hazen,	Mr. R. C. Miller, Millington, Minne, W.H.C. Mitchell, Montgomery, Moshier, Norris, Pearl, Post, Priest, Rood,
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Mr. Congdon, Copley, Coulter, Crane, Doty, Edwards, Ferris, Ferry, Garfield, Gibson, Gillam,	Mr. N. R. Hill, S. W. Hill, Holland, Holt, Huff, Hughes, Hurlbut, Knapp, Lamb, McGonegal, E. R. Miller,	Mr. Roof, Roost, Runyan, Sumner, Van Scoy, Walton, Webster, Wells, White, Williams, Speaker,	66
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NAYS.

Mr. Atwood, Hoyt,	Mr. Huston, N. L. Miller,	Mr. Phillips, Riford,	6
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The question being on agreeing to the title,

On motion of Mr. J. Haynes,

The title was amended by striking out the words "as amended."

The title, as amended, was then agreed to.

Senate joint resolution No. 7, entitled

Joint resolution for the publication of the laws relating to the elective franchise,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam, Adams, Adsit, Atwood, Barnaby, Brockway, Cimie, Copley, Coulter, Doty, Edwards, Ferris, Ferry, Garfield,	Mr. Garrison, Gillam, Gorman, Gray, Grosvenor, Haack, Hart, J. Haynes, Haywood, N. R. Hill, Holland, Holt, Hoyt,	Mr. Huff, Huston, Knapp, Lamb, McGonegal, R. C. Miller, Montgomery, Moshier, Riford, Rood, Sumner, Walton, Speaker,
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NAYS.

Mr. Andrews,	Mr. N. L. Miller,	Mr. Priest,
Cameron,	Millington,	Roost,
Cochrane,	Minne,	Van Scoy,
Crane,	Norris,	Webster,
Gibson,	Pearl,	Wells,
C. B. Grant,	Phillips,	White,
Green,	Post,	Williams,
Hazen,		

28

House bill No. 314, entitled

A bill making appropriations for the State Reform School,
for the years 1871 and 1872,

Being under consideration,

Mr. Hoyt moved to lay the bill on the table;

Which motion did not prevail.

The bill having been read a third time, and the question
being upon its passage, pending the taking of the vote thereon,

Mr. Holt moved to amend the bill by striking out section
2, and inserting the following, to stand as sections 2 and 3:

"SEC. 2. The several sums appropriated by the provisions of
this act shall be passed to the credit of the Reform School
and paid to the Board of Control, officer, or person and
persons entitled to receive the same, at such times and in such
manner, and amounts only, as are provided by law, and as may
be made to appear to the Auditor General to be necessary for
the immediate wants of the Reform School; and in no case
shall a greater sum be drawn at one time from the State
Treasury than five thousand dollars.

"SEC. 3. The sum of thirty-five thousand dollars the Auditor
General shall add to and incorporate with the State tax for the
year one thousand eight hundred and seventy-one, and the
sum of thirty-five thousand dollars the Auditor General shall
add to and incorporate with the State tax for the year one
thousand eight hundred and seventy-two, which sums, when
collected, shall be passed to the credit of the general fund."

Pending which,

On motion of Mr. Hoyt,

The bill was recommitted to the committee on Reform School.

House bill No. 318, entitled

A bill to provide for the incorporation of St. Jean Baptiste societies,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. R. C. Miller,
Adams,	Gorman,	Millington,
Adsit,	Gray,	Montgomery,
Andrews,	Green,	Moshier,
Atwood,	Grosvenor,	Norris,
Barnaby,	Haack,	Pearl,
Brockway,	Hart,	Pierson,
Cameron,	J. Haynes,	Priest,
Chamberlain,	Haywood,	Riford,
Climie,	Hazen,	Rood,
Cochrane,	N. R. Hill,	Roost,
Copley,	Holt,	Sumner,
Crane,	Boyt,	Van Scoy,
Doty,	Huff,	Walton,
Edwards,	Huston,	Webster,
Ferris,	Knapp,	Wells,
Ferry,	Lamb,	White,
Garrison,	McGonegal,	Speaker,
Gibson,		

55

NAYS.

Mr. Coulter,	Mr. Garfield,	Mr. Williams,	3
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Title agreed to.

On motion of Mr. McGonegal,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Cameron,

The House adjourned.

Lansing, Tuesday, March 28, 1871.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Straub.

Roll called: quorum present.

Absent without leave, Messrs. Brown, Clement, Fenton, Smith and Walker.

PRESENTATION OF PETITIONS.

By Mr. Gibson: Petition of John Hickey, M. Fitzgerald, Patrick Maloney, and 140 others, citizens of Detroit, for the passage of Senate bill No. 177;

By Mr. McGonegal: Petition of G. C. Codd and 261 others, citizens of Detroit, for the same purpose;

Referred to the committee on banks and incorporations.

By Mr. Haynes: Petition of David S. Williams, Asa M. Tinker, and others, citizens of Coldwater, relative to the charter of the city of Coldwater;

Referred to the committee on banks and incorporations.

REPORTS OF STANDING COMMITTEES.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to legalize the streets and highways within the corporate limits of the village of Benton Harbor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

M. V. MONTGOMERY, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was recommitted House bill No. 278, being

A bill to provide for the sale of perishable property,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

A. B. RIFORD, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Thayer,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Riford,

The bill was placed on the order of third reading.

By the committee on elections:

The committee on elections, to whom was recommitted House bill No. 316, being

A bill to amend an act entitled "An act to authorize the common council of the city of Detroit to divide any ward of said city into two election districts, and to provide for the registration of qualified electors therein," approved March 27th, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

A. B. RIFORD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Thayer,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Hoyt,

The bill was placed on the order of third reading.

By the committee on elections :

The committee on elections, to whom was recommitted House bill No. 372, being

A bill to amend sections 32 and 33 of an act entitled " An act to amend an act entitled ' An act further to preserve the purity of elections, and guard against the abuses of the elective franchise, by a registration of electors,' " approved February 14, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

A. B. RIFORD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hoyt,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Hoyt,

The bill was placed on the order of third reading.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate bill No. 151, being

A bill to amend sections 1662 and 1663 of the compiled laws, being sections 2 and 3 of the act entitled " Of the manufacture and sale of intoxicating drinks as a beverage," approved February 3, 1855,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEO. F. GILLAM, *Acting Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to repeal act number 76, of the laws of 1867, approved March 21, 1867, entitled "An act to provide for the appointment of a commissioner, to be known as the Swamp Land State Road Commissioner,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

EZRA HAZEN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Barnaby,

The rules were suspended, and the bill was placed on the order of third reading.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following;

EXECUTIVE OFFICE, }
Lansing, March 25, 1871. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State, the following entitled acts:

1. An act to amend sections 1, 3, 4, 7, 19, 32, 35, 36, 37, 42, and 62, of the charter of the city of Big Rapids;
2. An act to incorporate the village of Muir;
3. An act to amend act 352, of the session laws of A. D. 1867, being an act entitled "An act to set off and incorporate a portion of the townships of Grand Haven and Spring Lake, in the county of Ottawa, into a city by the name of the city of Grand Haven," by the addition of a new section, to stand as section 89;
4. An act to amend section 31, of act No. 134, session laws

of 1859, being an act entitled "An act to incorporate the city of Niles," approved February 12, 1859;

5. An act to amend an act to revise the charter of the village of Burr Oak, approved March 16th, 1867, being act No. 350, of the session laws of 1867;

6. An act to amend sections 51, 54, 55, 56, 57, 62, 64, and 65, of an act entitled "An act to incorporate the city of Battle Creek," approved February 3, 1859, and to add two new sections thereto;

7. An act to amend sections 2, 3, and 4, of article 3, section 4, of article 13, and section 2, of article 15, of an act entitled "An act to incorporate the village of Chesaning, in the county of Saginaw;"

8. An act to organize the township of Benton, in the county of Cheboygan;

9. An act to amend sections one and nine, of act No. 309, of the session laws of 1869, entitled "An act to organize union school district of the city of Flint;"

10. An act to organize certain townships in the county of Lake;

11. An act to amend "An act to incorporate the village of Manchester," approved March 16th, 1867;

12. An act to amend section six, of an act entitled "An act to accept the grant of lands made to the State of Michigan by the United States, to aid in the construction of a military road from Fort Wilkins, Copper Harbor, to the Wisconsin line, by way of Houghton, on Portage Lake, and to provide for the laying out and construction of the same," approved February 4, 1864.

HENRY P. BALDWIN.

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, March 25, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 53, entitled

A bill to provide for the payment of the salaries of the State officers,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, March 25, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill :

House bill No. 232, entitled

A bill to change the name of the township of Lovell, in Muskegon county, to Fruitport ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 25, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 83, entitled

A bill to repeal act number 402, of the session laws of 1869, entitled “An act to provide for laying out and establishing a State road in the counties of Macomb and St. Clair,”

And to inform the House that the Senate has adopted the accompanying substitute therefor, entitled

A bill to amend sections 1, 2, 3, 4, 5, and 6, of an act entitled “An act to provide for laying out and establishing a State road in the counties of Macomb and St. Clair,” being act No. 402, of session laws 1869;

In the passage of which, as thus substituted, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Minne moved that the House concur in the substitute adopted for the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,
 Adsit,
 Andrews,
 Bates,
 Brockway,
 Cameron,
 Chamberlain,
 Climie,
 Congdon,
 Copley,
 Coulter,

Mr. Harris,
 Hart,
 H. Haynes,
 J. Haynes,
 Haywood,
 N. R. Hill,
 S. W. Hill,
 Holland,
 Huff,
 Hughes,
 Knapp,

Mr. Norris,
 C. Y. Osburn,
 Pattengell,
 Priest,
 Rood,
 Roof,
 Roost,
 Ross,
 Runyan,
 Sumner,
 Swineford,

Mr. Doty,	Mr Lamb,	Mr. Thayer,	
Edwards,	Little,	Tobey,	
Ferris,	McGonegal,	Van Scoy,	
Garfield,	E. R. Miller,	Walton,	
Garrison,	N. L. Miller,	Watkins,	
Gibson,	R. C. Miller,	Webster,	
Gillam,	Millington,	Wells,	
Gray,	Minne,	White,	
Greusel,	P. Mitchell,	Williams,	
Haack,	Moshier,	Speaker,	63
	NAYS.		0

Title agreed to.

On motion of Mr. N. L. Miller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

On motion of Mr. Brockway, House bill No. 310, entitled

A bill to amend sections 12, 13, and 14, of act No. 82, of the session laws of 1869, being an act to amend sections 12, 13, 14, and 15, of chapter 151, of the revised statutes of 1846, being sections 5756, 5757, 5758, and 5759, of chapter 181, of the compiled laws, entitled "Of offenses against property," approved March 30, 1869,

Passed yesterday, was, by a vote of two-thirds of all the members elect, ordered to take immediate effect.

The Speaker also announced the following:

SENATE CHAMBER,)
Lansing, March 28, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 204, entitled

A bill to amend section 1, of act number 420, session laws of 1867, as amended by act 469, of the session laws of 1869, being an act entitled "An act to make an additional appropriation for the construction of the Midland City, Houghton Lake and Grand Traverse Bay road," approved April 5, 1869;

2. Senate bill No. 207, entitled

A bill to detach the county of Emmet from the 11th judicial circuit, and attach the same to the 13th judicial circuit;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The first named bill was read a first and second time by its title, and referred to the committee on public lands.

The second named bill was read a first and second time by its title, and referred to the committee on judiciary.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 27, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bills:

1. House bill No. 223, entitled

A bill to authorize the city of Ypsilanti to vacate a cemetery, and to prevent burials in the eastern cemetery;

2. House bill No. 293, entitled

A bill to authorize school district No. 9, of the township of Battle Creek, in the county of Calhoun, to issue bonds;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER,
Lansing, March 27, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bills :

1. House bill No. 119, entitled

A bill giving the auditors of Wayne county a salary ;

2. House bill No. 271, entitled

A bill to amend an act entitled “An act to amend an act entitled ‘An act to establish a police court in the city of Detroit,’ approved April 2d, 1850, and to add a new section thereto, approved March 20th, 1863,” and to add a new section thereto ;

3. House bill No. 283, entitled

A bill to legalize certain acts and proceedings of the board of fire commissioners in the city of Detroit ;

4. House bill No. 285, entitled

A bill to amend act No. 162, of the session laws of 1867, entitled “An act relative to the imprisonment of parties in civil suits in certain cases, by adding a new section, to stand as section three ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER,
Lansing, March 27, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 206, entitled

A bill to amend section 10, of chapter 105, of the compiled laws, relative to filing of chattel mortgages,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Bates, unanimous consent being given, moved to take from the table Senate bill No. 133, entitled

A bill to legalize the tax-rolls of the several townships of Bay county, for the year 1869;

Which motion prevailed.

On motion of Mr. Bates,

The bill was placed on the order of third reading.

THIRD READING OF BILLS.

House bill No. 315, entitled

A bill to authorize the highway commissioners to construct roads on petition of a majority of resident land-owners along and adjacent to the line of said road,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Grosvenor,	Mr. C. Y. Osburn,
Adams,	Haack,	Phillips,
Adsit,	Harris,	Priest,
Andrews,	J. Haynes,	Riford,
Atwood,	Haywood,	Rood,
Brockway,	N. R. Hill,	Roof,
Chamberlain,	Holland,	Roost,
Climie,	Huff,	Ross,
Oochrane,	Hurlbut,	Runyan,
Congdon,	Huston,	Sumner,
Copley,	Knapp,	Swineford,

Mr. Crane, Edwards, Ferris, Garrison, Gibson, Gillam, C. B. Grant, Gorman, Gray,	Mr. Lamb, Little, McGonegal, N. L. Miller, R. C. Miller, Millington, W.H.C. Mitchell, Montgomery, Norris,	Mr. Thayer, Tobey, Van Scoy, Walton, Watkins, Webster, Wells, White, Williams,	60
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NAYS.

Mr. Barnaby, Bates, Coulter, Doty, Garfield,	Mr. Greusel, H. Haynes, Hughes, E. R. Miller, Minne,	Mr. P. Mitchell, Moshier, Pearl, Speaker,	14
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The question being on agreeing to the title,

On motion of Mr. Adam,

The title was amended by striking out the word "resident."

The title, as amended, was then agreed to.

On motion of Mr. Grosvenor,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Grosvenor, unanimous consent being given, moved to discharge the committee of the whole from the further consideration of Senate bill No. 103, entitled

A bill to incorporate the village of Dundec;

Which motion prevailed.

On motion of Mr. Grosvenor,

The bill was recommitted to the committee on banks and incorporations.

Mr. Huston, unanimous consent being given, moved to discharge the committee of the whole from the further consideration of Senate bill No. 125, entitled

A bill to amend sections 18, 41, and 57, of an act entitled "An act to revise the charter of the village of Wenona," approved March 20, 1869, and to add five new sections thereto, to stand as sections 62, 63, 64, 65, and 66;

Which motion prevailed.

On motion Mr. Huston.

The bill was placed on the order of third reading.

House bill No. 319, entitled

A bill to provide for the sale of State swamp and school lands on the north shore of Lake Michigan, in the Upper Peninsula, heretofore withheld from market as mineral lands,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Huston moved to amend the bill by striking out, in lines 2 and 3, in section 4, the words "together with the actual and reasonable traveling expenses;" also, in third line, the words "and expenses;"

Which motion prevailed.

Mr. Rood moved to amend the bill by striking out, in line 1 of section 4, the word "three," and inserting the word "four" in lieu thereof.

Mr. Thayer moved to amend the amendment by inserting the word "five" instead of "four;"

Which motion did not prevail.

The motion of Mr. Rood did not prevail.

On motion of Mr. Bates,

The bill was amended by striking out, in line 6, section 1, the word "in," and inserting the words "under the provisions of" in lieu thereof.

On motion of Mr. Gray,

The bill was laid on the table.

House bill No. 321, entitled

A bill to further amend an act entitled "An act to provide for the construction of tram railways,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Adsit,
Andrews,

Mr. Harris,
Hart,
H. Haynes,
J. Haynes,

Mr. Norris,
C. Y. Osburn,
Pattengell,
Pearl,

Mr. Atwood,	Mr. Haywood,	Mr. Phillips,
Brockway,	N. R. Hill,	Post,
Cameron,	S. W. Hill,	Priest,
Chamberlain,	Holland,	Rood,
Climie,	Holt,	Roof,
Congdon,	Hoyt,	Roost,
Copley,	Hughes,	Ross,
Coulter,	Huston,	Sumner,
Crane,	Knapp,	Thayer,
Doty,	Lamb,	Tobey,
Edwards,	Little,	Van Scoy,
Ferris,	McGonegal,	Walton,
Garrison,	N. L. Miller,	Watkins,
Gibson,	R. C. Miller,	Webster,
Gillam,	Millington,	Wells,
Green,	Minne,	White,
Greusel,	W.H.C. Mitchell,	Williams,
Grosvenor,	Montgomery,	Speaker,
Haack,	Moshier,	

NAYS.

68

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Title agreed to.

On motion of Mr. Andrews,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 320, entitled

A bill to provide for using the unexpended swamp lands appropriated for the improvement of the Grand Rapids and Muskegon State road by act number 238, of the session laws of 1863, for the purpose of improving said road in the townships of Egleston and Muskegon, in the county of Muskegon,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Holt moved to amend the bill by adding the following at the end of section 1: "same being two sections of land;" also, by adding the following to stand as Sec. 2:

"SEC. 2. Phillip Bussing is hereby appointed commissioner for that part of the Grand Rapids and Muskegon State Road lying and being in the townships of Muskegon and Egleston, with all the rights, powers, and privileges, and subject to all the penalties, restrictions, and liabilities contained in an act

entitled 'An act to provide for laying out a State road from Grand Rapids to Muskegon Lake,' approved March 19, 1845, and in the act hereinbefore mentioned; and the said Philip Bussing is hereby authorized to carry into effect the provisions of this act;"

Which motion prevailed.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Grosvenor,	Mr. Minne,
Adams,	Haack,	W.H.C. Mitchell,
Adsit,	Harris,	Montgomery,
Andrews,	Hart,	Moshier,
Atwood,	H. Haynes,	Norris,
Barnaby,	J. Haynes,	C. Y. Osburn,
Bates,	Haywood,	J. M. Osborn,
Brockway,	N. B. Hill,	Pattengell,
Cameron,	S. W. Hill,	Pearl,
Chamberlain,	Holland,	Phillips,
Climie,	Holt,	Post,
Cochrane,	Houseman,	Riford,
Congdon.	Hoyt,	Rood,
Copley,	Huff,	Roof,
Coulter,	Hughes,	Roost,
Doty,	Hurlbut,	Ross,
Edwards,	Huston,	Sumner,
Ferris,	Knapp,	Thayer,
Ferry,	Lamb,	Tobey,
Garfield,	Little,	Watkins,
Garrison,	McGonegal,	Webster,
Gillam,	N. L. Miller,	Wells,
C. B. Grant,	R. C. Miller,	White,
Gray,	Millington,	Speaker,
Green,		

73

NAYS.

Mr. Crane,	Mr. Gorman,	Mr. Walton,
Gibson,	Grensel,	Williams,

6

The question being on agreeing to the title,

On motion of Mr. Holt,

The title was amended by adding thereto the words "and for the appointment of a commissioner on said road."

The title, as amended, was then agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Adams, unanimous consent being granted, offered the following:

Resolved, That hereafter all bills which have been read through and considered in committee of the whole, shall be read by their titles only on the order of third reading, unless the House shall otherwise order ;

Which was not adopted.

House bill No. 323, entitled

A bill to provide for the laying out, establishing, and constructing a State road in the county of Alcona, and appropriating certain non-resident highway taxes therefor, to be known as the Pine River State road,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Green,	Mr. Minne,
Adams,	Grosvenor,	W.H.C. Mitchell,
Adsit,	Haack,	Montgomery,
Atwood,	Harris,	Moshier,
Barnaby,	Hart,	Noiris,
Bates,	H. Haynes,	C. Y. Osburn,
Brockway,	J. Haynes,	J. M. Osborn,
Cameron,	S. W. Hill,	Pearl,
Chamberlain,	Holland,	Phillips,
Climie,	Holt,	Post,
Cochrane,	Houseman,	Priest,
Congdon,	Hoyt,	Riford,
Copley,	Huff,	Rood,
Crane,	Hughes,	Roost,
Doty,	Hurlbut,	Ross,
Edwards,	Huston,	Summer,
Ferris,	Knapp,	Tobey,
Ferry,	Lamb,	Van Scoy,
Frost,	Little,	Walton,
Garfield,	McGonegal,	Webster,
Garrison,	E. R. Miller,	Wells,

Mr. Gibson, Gillam, C. B. Grant,	Mr. R. C. Miller, Millington,	Mr. White, Speaker,	70
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NAYS.

Mr. Coulter, Gorman,	Mr. Greusel,	Mr. Pattengell,	4
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Title agreed to.

On motion of Mr. Ross,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 325, entitled

A bill to detach certain territory from the county of Tuscola, and to attach such territory to the county of Lapeer,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adsit, Barnaby, Cochrane, Coulter, Crane, Ferry, Garfield, Green,	Mr. Hart, Holland, Huff, Hughes, Lamb, Little, E. R. Miller, Minne,	Mr. Montgomery, Moshier, J. M. Osborn, Pearl, Priest, Rood, Walton,	23
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NAYS.

Mr. Adam, Adams, Atwood, Bates, Brockway, Cameron, Chamberlain, Climie, Congdon, Copley, Doty, Edwards, Fenton, Ferris, Garrison,	Mr. Gorman, Greusel, Haack, Harris, H. Haynes, J. Haynes, N. R. Hill, S. W. Hill, Houseman, Hoyt, Hurlbut, Huston, Kellogg, Knapp, McGonegal,	Mr. W.H.C. Mitchell, Norris, C. Y. Osburn, Pattengell, Phillips, Post, Riford, Roost, Ross, Sumner, Tobey, Van Scoy, Watkins, Webster, Wells,
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Mr. Gibson,	Mr. N. L. Miller,	Mr. White,	
Gillam,	R. C. Miller,	Williams,	
C. B. Grant,	Millington,	Speaker,	54

House bill No. 326, entitled

A bill to amend sections 1, 2, 3, 5, and 8, of act No. 125, of the session laws of 1869, being an act entitled "An act to revise and consolidate the several acts relating to the protection of game, and for the better preservation of elk, deer, birds, and wild fowl," approved April 3, 1869,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Ferris moved to amend the bill by inserting in line 3 of recited section 2, before the word "December," the words "fifteenth of;"

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. McGonegal,	
Adams,	Gorman,	E. R. Miller,	
Adsit,	Gray,	R. C. Miller,	
Andrews,	Greusel,	Millington,	
Atwood,	Haack,	Minne,	
Barnaby,	Hart,	P. Mitchell,	
Bates,	H. Haynes,	W.H.C. Mitchell,	
Brockway,	J. Haynes,	Montgomery,	
Cameron,	N. R. Hill,	Norris,	
Chamberlain,	S. W. Hill,	C. Y. Osburn,	
Climie,	Holland,	J. M. Osborn,	
Cochrane,	Holt,	Post,	
Congdon,	Houseman,	Rood,	
Copley,	Hoyt,	Sumner,	
Crane,	Huff,	Swineford,	
Doty,	Hughes,	Tobey,	
Ferris,	Huston,	Walton,	
Ferry,	Kellogg,	Watkins,	
Garfield,	Knapp,	Wells,	
Garrison,	Lamb,	Williams,	
Gibson,	Little,	Speaker,	63

NAYS.

Mr. Coulter,	Mr. Moshier,	Mr. Ross,	
Green,	Pattengell,	Van Scoy,	
Hurlbut,	Riford,	White,	
N. L. Miller,	Roost,		11

Title agreed to.

On motion of Mr. Ross,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 130, entitled

A bill to amend section 8, of act No. 140, laws of 1863, being "An act to provide for the selection, care, and disposition of the lands donated to the State of Michigan by act of Congress, approved July 2d, 1862, for the endowment of colleges for the benefit of agriculture and the mechanic arts," approved March 18, 1863,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Green,	Mr. W.H.C. Mitchell,
Adams,	Greusel,	Montgomery,
Adsit,	Haack,	Moshier,
Andrews,	Hart,	Norris,
Barnaby,	H. Haynes,	C. Y. Osburn,
Bates,	J. Haynes,	J. M. Osborn,
Cameron,	Hazen,	Pattengell,
Chamberlain,	N. R. Hill,	Pearl,
Climie,	S. W. Hill,	Post,
Cochrane,	Holland,	Priest,
Copley,	Holt,	Riford,
Coulter,	Hoyt,	Rood,
Crane,	Hughes,	Roost,
Doty,	Hurlbut,	Ross,
Edwards,	Huston,	Sumner,
Ferris,	Knapp,	Swineford,
Ferry,	Lamb,	Tobey,
Garfield,	Little,	Van Scoy,
Garrison,	McGonegal,	Walton,
Gibson,	E. R. Miller,	Watkins,
Gillam,	R. C. Miller,	Wells,
C. B. Grant,	Millington,	White,

Mr. Gorman.
Gray,

Mr. Minne,
P. Mitchell,
NAYS.

Mr. Williams,
Speaker, 72

Mr. Congdon, 1

Title agreed to.

On motion of Mr. Copley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 76, entitled

A bill relative to laying out temporary highways,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Huston offered the following as a substitute for the bill:

A BILL relative to laying out temporary highways.

SECTION 1. *The People of the State of Michigan enact, That* whenever any two or more owners of any pine or other timbered lands, in any township, shall wish to have a temporary highway laid out, they may by writing, under their hands, make application to the commissioners of highways of the township for that purpose, who shall proceed to lay out such temporary highway in all respects as provided by the law in force at the time of said application, in relation to laying out other highways, except as hereinafter provided.

SEC. 2. When any such application shall be made, the commissioners or jury shall proceed to view the premises described in such application and any such tracts of pine or other timbered land in the vicinity as they may deem necessary, and ascertain and determine the necessity of laying out such highway for the purpose of removing the saw logs, timber, or lumber from any pine or other timbered lands, and the length of time that such highway will be necessary, and they shall state such time in their proceedings, and at the expiration of said time such highway shall cease. But no such highway shall be laid out upon or along any road then, or before then, used by the owner of such lands, or by any person having the right from such owner to use the same unless such

owner shall consent thereto in writing. If the owner of the land across which such highway is desired, shall appear before the commissioner or jury, at the time and place fixed by them to determine such necessity, and shall designate a route for such highway, which shall be in the opinion of such commissioners or jury reasonably direct and practicable for the purpose desired by such applicants, it shall be the duty of the commissioner or jury, in case they determine such highway to be necessary, to lay the same upon the route designated by such owner.

SEC. 3. All the expenses of laying out, and all damages awarded for the taking of lands for such highway, shall be paid by the persons applying for the same. They shall be public highways, but no tax shall be levied or collected for making or opening the same. The persons applying for the same may enter upon, open and work any such road at any time after it is laid out: *Provided*, That no trees shall be cut in such highway, except such as shall be necessary to make a track or tracks, not exceeding two rods in width, and in case any pine trees shall be cut down in making such highway, such applicants shall pay to the owner of said land twice the value of such trees estimated at the time of such cutting.

SEC. 4. In case any tract of land across which such road shall be laid out, shall be unoccupied, it shall not be necessary to serve the notice of the meeting of commissioners personally, or by leaving the same at the residence of the owner, but it shall be sufficient to post the same in three public places in the township ten days before the time of meeting.

Mr. Holt moved to recommit the bill to the committee on roads and bridges.

Mr. Huston moved to amend the motion by instructing the committee to amend the bill in accordance with the substitute offered by him;

Which motion prevailed.

The motion to recommit, with the instructions, then prevailed.

Senate bill No. 94, entitled

A bill to provide for laying out and constructing the Flint River State road, in Saginaw and Genesee counties, and appropriating certain non-resident highway taxes therefor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Haack,	Mr. P. Mitchell,
Adams,	Hart,	W.H.C. Mitchell,
Adsit,	H. Haynes,	Montgomery,
Atwood,	J. Haynes,	Moshier,
Barnaby,	Haywood,	Norris,
Bates,	N. R. Hill,	J. M. Osborn,
Brockway,	Holland,	Pearl,
Cameron,	Holt,	Post,
Chamberlain,	Houseman,	Riford,
Climie,	Hoyt,	Rood,
Cochrane,	Huff,	Roost,
Congdon,	Hughea,	Ross,
Copley,	Hurlbut,	Runyan,
Doty,	Huston,	Sumner,
Edwards,	Knapp,	Swineford,
Ferris,	Lamb,	Tobey,
Ferry,	Little,	Van Scoy,
Garfield,	McGonegal,	Watkins,
Garrison,	E. R. Miller,	Webster,
Gillam,	N. L. Miller,	Wells,
C. B. Grant,	R. C. Miller,	White,
Gorman,	Millington,	Speaker,
Grosvenor,		

67

NAYS.

Mr. Coulter,	Mr. Green,	Mr. Walton,
Crane,	Greusel,	Williams,
Gibson,	Pattengell,	

8

Title agreed to.

On motion of Mr. Ross,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 145, entitled

A bill to amend section 28, of an act entitled "An act to

revise and consolidate the general acts relating to the support and maintenance of poor persons," approved February 5, 1869,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Greusel,	Mr. W.H.C. Mitchell,
Adams,	Grosvenor,	Montgomery,
Adsit,	Haack,	Moshier,
Atwood,	Harris,	Norris,
Barnaby,	Hart,	J. M. Osborn,
Brockway,	H. Haynea,	Pattengell,
Cameron,	J. Haynes,	Pearl,
Chamberlain,	Haywood,	Post,
Climie,	Hazen,	Riford,
Cochrane,	N. R. Hill,	Rood,
Copley,	Holland,	Roost,
Coulter,	Holt,	Ross,
Crane,	Houseman,	Runyan,
Doty,	Hoyt,	Sumner,
Edwards,	Huff,	Swineford,
Ferris,	Hughes,	Tobey,
Ferry,	Huston,	Van Scoy,
Garfield,	Knapp,	Walton,
Garrison,	McGonegal,	Watkins,
Gibson,	E. R. Miller,	Webster,
Gillam,	N. L. Miller,	White,
C. B. Grant,	R. O. Miller,	Williams,
Gorman,	Millington,	Speaker,
Green,	P. Mitchell,	

71

NAYS.

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Title agreed to.

Senate bill No. 134, entitled

A bill to amend act No. 146, of the session laws of 1861, entitled "An act to amend section 404 and 405, of the compiled laws, being sections 63 and 64, of chapter 10, enabling county clerks to appoint deputies,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Greusel,	Mr. P. Mitchell,
Adsit,	Grosvenor,	W.H.C. Mitchell,
Atwood,	Haack,	Montgomery,

Mr. Barnaby, Brockway, Cameron, Climie, Copley, Coulter, Crane, Doty, Edwards, Ferris, Ferry, Garfield, Garrison, Gibson, Gillam, C. B. Grant, Gorman, Green,	Mr. Harris, Hart, H. Haynes, J. Haynes, Haywood, Hazen, S. W. Hill, Holland, Houseman, Hoyt, Huff, Hughes, Knapp, Lamb, McGonegal, E. R. Miller, R. C. Miller, Millington,	Mr. Moshier, Norris, J. M. Osborn, Pattengell, Pearl, Riford, Rood, Roost, Runyan, Swineford, Tobey, Walton, Watkins, Webster, Wells, White, Speaker,
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62

NAYS.

Mr. Huston, Post,	Mr. Ross, Sumner,	Mr. Williams,
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5

Title agreed to.

On motion of Mr. Pattengell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 120, entitled

A bill to extend the time of payment of certain ditch taxes in the township of Howell, in the county of Livingston,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam, Adams, Adsit, Atwood, Brockway, Cameron, Chamberlain, Climie, Cochrane, Copley, Coulter,	Mr. C. B. Grant, Gorman, Green, Greusel, Haack, Harris, Hart, J. Haynes, Haywood, Hazen, N. R. Hill,	Mr. P. Mitchell, W.H.C.Mitchell, Montgomery, Moshier, Norris, J. M. Osborn, Pearl, Post, Rood; Roof, Roost,
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Mr. Crane, Doty, Edwards, Ferris, Ferry, Garfield, Garrison, Gibson, Gillam,	Mr. Holland, Houseman, Hughes, Knapp, Lamb, McGonegal, E. R. Miller, R. C. Miller, Millington,	Mr. Ross, Runyan, Sumner, Tobey, Van Scoy, Walton, Webster, Wells, Speaker,
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60

NAYS.

Mr. N. L. Miller, Title agreed to.	1
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On motion of Mr. Brockway,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House joint resolution No. 20, entitled

Joint resolution for the relief of Richard Thorne,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam, Adams, Adsit, Andrews, Atwood, Barnaby, Brockway, Cameron, Chamberlain, Olimie, Cochrane, Congdon, Copley, Coulter, Crane, Doty, Edwards, Ferris, Ferry, Garfield,	Mr. Gray, Green, Greusel, Grosvenor, Haack, Harris, J. Haynes, Haywood, Hazen, N. R. Hill, Holland, Holt, Houseman, Hoyt, Hughes, Hurlbut, Huston, Knapp, Lamb, McGonegal,	Mr. Millington, P. Mitchell, W.H.C. Mitchell, Montgomery, Moshier, Norris, J. M. Osborn, Pattengell, Pearl, Post, Roof, Roost, Ross, Runyan, Sumner, Tobey, Van Scoy, Walton, Watkins, Wells,
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Mr. Garrison,
Gibson,
Gillam,

Mr. E. R. Miller,
R. C. Miller,

Mr. Williams,
Speaker,

67

NAYS.

0

Title and preamble agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

House joint resolution No. 21, entitled

Joint resolution to authorize the Governor to convey the northeast quarter of the northwest quarter of section number sixteen, in township number one north, of range number four west, to John G. Estell, assignee of primary school land certificate No. 6151,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Montgomery moved to amend the joint resolution by adding the following thereto: "Upon payment to the proper officer of said State, by said John G. Estell, of the amount (if any) due or unpaid to said State upon said certificate;"

Which motion prevailed.

The joint resolution was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Adsit,
Andrews,
Atwood,
Barnaby,
Brockway,
Cameron,
Chamberlain,
Cochrane,
Congdon,
Copley,
Coulter,
Crane,
Doty,

Mr. Greusel,
Grosvenor,
Haack,
Harris,
Hart,
J. Haynes,
Haywood,
Hazen,
N. R. Hill,
Holland,
Holt,
Houseman,
Hoyt,
Hughes,
Hurlbut,

Mr. P. Mitchell,
W.H.C. Mitchell,
Montgomery,
Moshier,
Norris,
J. M. Osborn.
Pattengell,
Pearl,
Post,
Rood,
Roof,
Roost,
Runyan,
Sumner,
Tobey,

Mr. Edwards,	Mr. Kellogg,	Mr. Van Scoy,
Ferris,	Knapp,	Walton,
Garfield,	Lamb,	Watkins,
Garrison,	McGonegal,	Webster,
Gibson,	E. R. Miller,	Wells,
C. B. Grant,	N. L. Miller,	Williams,
Gray,	R. C. Miller,	Speaker,
Green,	Millington,	

68

NAYS.

0

Title agreed to.

On motion of Mr. Montgomery,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

House bill No. 196, entitled

A bill to provide for the protection of laborers, and persons furnishing material for the construction and repairing of railroads in this State,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Grosvenor,	Mr. W.H.C. Mitchell,
Adams,	Haack,	Montgomery,
Adsit,	Harris,	Moshier,
Andrews,	Hart,	Norris,
Brockway,	H. Haynes	C. Y. Osburn,
Cameron,	J. Haynes,	J. M. Osborn,
Chamberlain,	Haywood,	Pattengell,
Climie,	Hazen,	Pearl,
Cochrane,	N. R. Hill,	Phillips,
Congdon,	Holland,	Post,
Copley,	Holt,	Rood,
Coulter,	Houseman,	Roof,
Crane,	Hoyt,	Roost,
Doty,	Hughes,	Ross,
Edwards,	Hurlbut,	Sumner,
Ferris,	Knapp,	Tobey,
Garfield,	Lamb,	Van Scoy,
Garrison,	McGonegal,	Walton,
Gibson,	E. R. Miller,	Watkins,
Gillam,	N. L. Miller,	Webster,
C. B. Grant,	R. C. Miller,	Wells,

1908

JOURNAL OF THE

[March 28,

Mr. Gray,
Green,
Greusel,

Mr. Millington,
P. Mitchell,

Mr. Williams,
Speaker,

70

NAYS.

0

Title agreed to.

On motion of Mr. E. R. Miller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 329, entitled

A bill to amend section 4326, chapter 127, of the second volume of the compiled laws, entitled "Evidence,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Adsit,
Atwood,
Barnaby,
Brockway,
Cameron,
Cochrane,
Congdon,
Copley,
Coulter,
Crane,
Doty,
Edwards,
Garfield,
Garrison,
Gibson,
Gillam,
Gray,
Greusel,

Mr. Haack,
Harris,
H. Haynes,
J. Haynes,
Haywood,
Hazen,
N. R. Hill,
Holland,
Holt,
Houseman,
Hoyt,
Hughes,
Knapp,
Lamb,
R. C. Miller,
Millington,
P. Mitchell,
W.H.C. Mitchell,
Montgomery,
Moshier,

Mr. Norris,
C. Y. Osburn,
Pattengell,
Pearl,
Phillips,
Post,
Rood,
Roof,
Ross,
Runyan,
Sumner,
Tobey,
Van Scoy,
Walton,
Watkins,
Webster,
Wells,
Williams,
Speaker,

59

NAYS.

0

The question being on agreeing to the title,

On motion of Mr. Montgomery,

The title was amended by inserting, after the word "amend," the following:

"Section 89, of chapter 102, of the revised statutes of 1846, being"

The title, as amended, was then agreed to.

On motion of Mr. Montgomery,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 331, entitled

A bill to amend act No. 208, of the session laws of 1869, being an act entitled "An act to provide for the establishment of school district libraries," approved February 15, 1859, by adding a new section thereto, to stand as section 6, and to change the numbers of section 6 and section 7, to section 7 and section 8,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Haack,	Mr. Norris,
Adsit,	Harris,	C. Y. Osburn,
Andrews,	J. Haynes,	J. M. Osborn,
Barnaby,	Haywood,	Pearl,
Brockway,	Hazen,	Phillips,
Cameron,	N. R. Hill,	Post,
Climie,	Holland,	Rood,
Cochrane,	Holt,	Roof,
Congdon,	Hoyt,	Roost,
Copley,	Huff,	Ross,
Coulter,	Hughes,	Sumner,
Doty,	Knapp,	Thayer,
Edwards,	Lamb,	Van Scoy,
Ferris,	McGonegal,	Walton,
Garfield,	R. C. Miller,	Watkins,
Garrison,	Millington,	Webster,
Gibson,	P. Mitchell,	Wells,
Gillam,	W.H.C. Mitchell,	Williams,
Green,	Montgomery,	Speaker,
Grensel,	Moshier,	

59

NAYS.

0

Title agreed to.

On motion of Mr. E. R. Miller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 333, entitled

A bill to amend section 27, of an act entitled "An act to provide for the uniform assessment of property, and for the collection and return of taxes thereon," approved April 6th, 1869,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Hart,	Mr. W.H.C. Mitchell,
Barnaby,	J. Haynes,	Montgomery,
Brockway,	Haywood,	Norris,
Copley,	Hazen,	Rood,
Coulter,	Huff,	Roof,
Ferris,	Lamb,	Roost,
Ferry,	McGonegal,	Ross,
Garfield,	E. R. Miller,	Runyan,
Gibson,	Minne,	Webster,
Haack,		

28

NAYS.

Mr. Adams,	Mr. Grosvenor,	Mr. C. Y. Osburn,
Adsit,	Harris,	J. M. Osborn,
Andrews,	H. Haynes,	Pattengell,
Atwood,	Holland,	Pearl,
Cameron,	Holt,	Phillips,
Climie,	Houseman,	Post,
Congdon,	Hoyt,	Priest,
Crane,	Hughes,	Sumner,
Doty,	Huston,	Tobey,
Edwards,	Knapp,	Van Scoy,
Garrison,	N. L. Miller,	Walton,
Gillam,	R. C. Miller,	Watkins,
Gorman,	Millington,	Wells,
Gray,	P. Mitchell,	Williams,
Green,	Moshier,	Speaker,
Greusel,		

46

On motion of Mr. Pattengell,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

THIRD READING OF BILLS.

House bill No. 332, entitled

A bill to provide for the laying out and constructing a State road from the east line of the town of Leavitt, in Oceana county, to the village of Hart, in said county, and making an appropriation of swamp lands therefor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Haack,	Mr. R. C. Miller,
Adams,	Harris,	Mil ington,
Adsit,	Hart,	Minne,
Andrews,	H. Haynes,	P. Mitcheil,
Barnaby,	J. Haynes,	W.H.C.Mitchell,
Bates,	Haywood,	Moshier,
Brockway,	Hazen,	C. Y. Osburn,
Cameron,	N. R. Hill,	Pearl,
Chamberlain,	S. W. Hill,	Phillips,
Climie,	Holland,	Rood,
Cochrane,	Houseman,	Roof,
Congdon,	Hoyt,	Roost,
Copley,	Hughes,	Ross,
Crane,	Hurlbut,	Smith,
Doty,	Knapp,	Sumner,
Edwards,	Lamb,	Thayer,
Garfield,	Little,	Tobey,
Gibson,	McGonegal,	Walton,
Gorman,	E. R. Miller,	Webster,
Gray,	N. L. Mil er,	Wells,

60

NAYS.

Mr. Ferris,	Mr. Ho't,	Mr. Riford,
Ferry,	Huff,	Van Sooy,
Garrison,	Norris,	White,
Green,	Pattengell,	Williams,
Grensel,	Post,	Speaker,

15

Title agreed to.

On motion of Mr. Gray,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Sena'e bill No. 142, entitled

A bill to amend section 1, of act No. 35, of the session laws of 1869, approved March 16th, 1869, relative to a soldiers' aid fund,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Greusel,	Mr. P. Mitchell,
Adams,	Haack,	W.H.C. Mitchell,
Adsit,	Harris,	Moshier,
Andrews,	Hart,	Norris,
Barnaby,	H. Haynes,	Pattengell,
Bates,	J. Haynes,	Pearl,
Brockway,	Haywood,	Phillips,
Cameron,	N. R. Hill,	Post,
Chamberlain,	S. W. Hill,	Priest,
Climie,	Holland,	Riford,
Cochrane,	Holt,	Rood,
Congdon,	Houseman,	Roof,
Copley,	Hoyt,	Roost,
Crane,	Huff,	Ross,
Edwards,	Hughes,	Runyan,
Ferris,	Hurlbut,	Sumner,
Ferry,	Knapp,	Thayer,
Garfield,	Lamb,	Tobey,
Garrison,	Little,	Van Scoy,
Gibson,	McGonegal,	Walton,
Gillam,	E. R. Miller,	Webster,
C. B. Grant,	N. L. Miller,	Wells,
Gorman,	R. C. Miller,	White,
Gray,	Millington,	Williams,
Green,	Minne,	Speaker,

75

NAYS.

0

Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 135, entitled

A bill to legalize the incorporation of the society known as "The Literary Adelphi, of Detroit,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Hart,	Mr. Moshier,	
Adams,	J. Haynes,	Norris,	
Andrews,	Haywood,	C. Y. Osburn,	
Atwood,	N. R. Hill,	Pattengell,	
Barnaby,	S. W. Hill,	Pearl,	
Bates,	Holland,	Phillips,	
Brockway,	Holt,	Post,	
Cameron.	Hoyt,	Priest,	
Chamberlain,	Huff,	Riford,	
Climie,	Hughes,	Rood,	
Cochrane,	Hurlbut,	Roof,	
Congdon,	Huston,	Roost,	
Copley,	Knapp,	Ross,	
Crane,	Lamb,	Runyan,	
Doty,	Little,	Sumner,	
Edwards,	McGonegal,	Thayer,	
Ferris,	E. R. Miller,	Tobey,	
Ferry,	N. L. Miller,	Van Scoy,	
Gibson,	R. C. Miller,	Walton,	
Gillam,	Millington,	Wells,	
C. B. Grant,	Minne,	White,	
Green,	P. Mitchell,	Williams,	
Grensel,	W.H.C. Mitchell,	Speaker,	70
Haack,			0
	NAYS.		

Title agreed to.

On motion of Mr. Hoyt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 106, entitled

A bill to prevent the destruction of mink and muskrats and muskrat houses, within the counties of Cass, Kalamazoo, St. Joseph, and Allegan,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. C. B. Grant,	Mr. E. R. Miller,
Adams,	Gray,	Minne,
Adsit,	Harris,	P. Mitchell,
Atwood,	Hart,	W.H.C. Mitchell,
Bates,	H. Haynes,	Norris,
Cameron,	Haywood,	C. Y. Osborn,
Chamberlain,	Hazen,	J. M. Osburn,
Climie,	Holland,	Pearl,
Cochrane,	Holt,	Riford,
Congdon,	Houseman,	Rood,
Copley,	Hoyt,	Roof,
Doty,	Huff,	Ross,
Edwards,	Lamb,	Wells,
Garrison,	Little,	Williams,
Gillam,	McGonegal,	

44

NAYS.

Mr. Andrews,	Mr. N. R. Hill,	Mr. Priest
Barnaby,	Hughes,	Roost,
Brockway,	Hurlbut	Runyan,
Crane,	Huston,	Sumner,
Ferris,	Knapp,	Thayer,
Ferry,	N. L. Miller,	Tobey,
Garfield,	R. C. Miller,	Van Scoy
Gibson,	Moshier,	Walton,
Green,	Pattengell,	Webster,
Greusel,	Phillips,	White,
Haack,	Post,	Speaker,
J. Haynes,		

34

Senate bill No. 107, entitled

A bill to provide for the appointment of commissioners to procure lands for the enlargement of the St. Mary's Falls ship canal,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Greusel,	Mr. W.H.C. Mitchell,
Adams,	Haack,	Montgomery,
Adsit,	Harris,	Moshier,
Andrews,	Hart,	Norris,
Atwood,	H. Haynes,	C. Y. Osburn,
Bates,	J. Haynes,	Pattengell,
Brockway,	Haywood,	Pearl,

Mr. Climie,	Mr. Hazen,	Mr. Phillips,	
Cochrane,	N. R. Hill,	Post,	
Congdon,	Holland,	Priest,	
Copley,	Holt,	Riford,	
Coulter,	Houseman,	Rood,	
Crane,	Huff,	Roof,	
Doty,	Hughes,	Roost,	
Edwards,	Hurlbut,	Ross,	
Ferris,	Knapp,	Runyan,	
Ferry,	Lamb,	Thayer,	
Garfield,	McGonegal,	Tobey,	
Garrison,	E. R. Miller,	Walton,	
Gibson,	N. L. Miller,	Webster,	
Gillam,	R. C. Miller,	Wells,	
C. B. Grant,	Millington,	White,	
Gray,	Minne,	Williams,	
Green,	P. Mitchell,	Speaker,	72
	NAYS.		0

Title agreed to.

On motion of Mr. Brockway,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 136, entitled

A bill to amend section 149, of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Grosvenor,	P. Mitchell,
Adsit,	Haack,	Moshier,
Andrews,	Harris,	Norris,
Atwood,	Hart,	C. Y. Osburn,
Barnaby,	H. Haynes,	J. M. Osborn,
Cameron,	J. Haynes,	Pattengell,
Chamberlain,	Haywood,	Pearl,
Climie,	N. R. Hill,	Phillips,
Cochrane,	Holland,	Post,
Congdon,	Holt,	Riford,
Copley,	Houseman,	Roof,
Doty,	Hoyt,	Roost,
Edwards,	Huff,	Ross,

Mr. Ferris,	Mr. Hughes,	Mr. Thayer,	
Ferry,	Huston,	Tobey,	
Garfield,	Knapp,	Van Scoy,	
Gibson,	Lamb,	Walton,	
Gillam,	Little,	Watkins,	
C. B. Grant,	McGonegal,	Webster,	
Gorman,	E. R. Miller,	Wells,	
Gray,	N. L. Miller,	White,	
Green,	R. C. Miller,	Williams,	
Greusel,	Millington,	Speaker,	69
	NAYS.		0

Title agreed to.

House bill No. 278, entitled

A bill to provide for the sale of perishable property,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Grosvenor,	Mr. W.H.C. Mitchell,	
Adams,	Haack,	Moshier,	
Adsit,	Harris,	Norris,	
Andrews,	Hart,	C. Y. Osburn,	
Barnaby,	J. Haynes,	J. M. Osborn,	
Bates,	Haywood,	Pattengell,	
Chamberlain,	Hazen,	Phillips,	
Climie,	N. R. Hill,	Post,	
Cochrane,	Holland,	Priest,	
Congdon,	Holt,	Rood,	
Copley,	Houseman,	Roof,	
Doty,	Hoyt,	Roost,	
Edwards,	Huff,	Ross,	
Ferris,	Hughes,	Runyan,	
Garfield,	Hurlbut,	Sumner,	
Garrison,	Huston,	Swineford,	
Gibson,	Knapp,	Thayer,	
Gillam,	Lamb,	Tobey,	
C. B. Grant,	Little,	Walton,	
Gorman,	McGonegal,	Watkins,	
Gray,	R. C. Miller,	Wells,	
Green,	Millington,	Williams,	
Greusel,	P. Mitchell,	Speaker,	69
	NAYS.		

Mr. White,

Title agreed to.

On motion of Mr. Ross,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 372, entitled

A bill to amend sections 32 and 33, of an act entitled "An act to amend an act entitled 'An act further to preserve the purity of elections, and guard against the abuse of the elective franchise, by a registration of electors,' approved February 14th, 1859,"

Being under consideration,

On motion of Mr. Hoyt,

The bill was laid on the table.

House manuscript bill, entitled

A bill to repeal act No. 76, of the laws of 1867, approved March 21, 1867, entitled "An act to provide for the appointment of a commissioner, to be known as the Swamp Land State Road Commissioner,"

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Huston moved to amend the bill by inserting after the word "commissioner," in line 6, the words "as amended by act No. 122, of the session laws of 1869;"

Which motion prevailed.

Mr. Hazen moved to lay the bill on the table;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Greusel,	Mr. Norris,
Adams,	Haack,	J. M. Osborn,
Adsit,	Hart,	Pattengell,
Andrews,	H. Haynes,	Pearl,
Barnaby,	J. Haynes,	Phillips,
Bates,	Haywood,	Post,
Brockway,	N. R. Hill,	Priest,
Cameron,	Holland,	Rood,
Chamberlain,	Houseman,	Ross,
Cochrane,	Huff,	Runyan,

Mr. Congdon,	Mr. Hughes,	Mr. Smith,	
Coulter	Hurlbut,	Sumner,	
Crane,	Huston,	Swineford,	
Doty,	Knapp,	Thayer,	
Edwards,	Lamb,	Tobey,	
Ferris,	McGonegal,	Van Scoy,	
Garfield,	E. R. Miller,	Walton,	
Garrison,	N. L. Miller,	Watkins,	
Gibson,	R. C. Miller,	Webster,	
Gillam,	Millington,	White,	
Gorman,	Minne,	Williams,	
Green,	W.H.C.Mitchell,	Speaker,	66

NAYS.

Mr. Atwood,	Mr. Grosvenor,	Mr. Riford,	
Copley,	Harris,	Roof,	
Ferry,	Hazen,	Roost,	
C. B. Grant,	Hoyt,	Wells,	
Gray,	Little,		14

The question being on agreeing to the title,

On motion of Mr. Barnaby,

The title was amended by adding thereto the words "as amended by act No. 122, of the session laws of 1869."

The title, as amended, was then agreed to.

On motion of Mr. Huston,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 133, entitled

A bill to legalize the tax-rolls of the several townships of Bay county, for the year one thousand eight hundred and sixty-nine,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Bates moved to amend the bill by inserting in line 6, section 1, after the word "pending," the words "or heretofore pending;" also, by inserting in line 7, section 1, after the word "collection," the words "or the legality or illegality;"

Which motion prevailed.

On motion of Mr. Gillam,

The bill was amended by inserting in line 3, section 1, after the word "declared" the word "as."

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Greusel,	Mr. E. R. Miller,
Adsit,	Haack,	R. C. Miller,
Barnaby,	Harris,	Minne,
Bates,	Hart,	P. Mitchell,
Brockway,	H. Haynes,	W.H.C. Mitchell,
Cameron,	Haywood,	Norris,
Chamberlain,	Hazen,	Phillips,
Climie,	N. R. Hill,	Priest,
Cochrane,	Holland,	Riford,
Congdon,	Holt,	Rood,
Copley,	Houseman,	Roof,
Coulter,	Hoyt,	Smith,
Crane,	Huff,	Sumner,
Crofoot,	Hughes,	Swineford,
Doty,	Hurlbut,	Thayer,
Edwards,	Huston,	Van Scoy,
Ferris,	Knapp,	Wells,
Gillam,	Lamb,	White,
C. B. Grant,	Little,	Williams,
Gorman,	McGonegal,	Speaker,
Green,		

61

NAYS.

Mr. Adam,	Mr. C. Y. Osburn,	Mr. Roost,
Garfield,	Pattengell,	Walton,
Millington,	Post,	Watkins,

9

Title agreed to.

On motion of Mr. Bates,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 316, entitled

A bill to amend an act entitled "An act to authorize the common council of the city of Detroit to divide any ward of said city into two election districts, and to provide for the registration of qualified electors therein, approved March 27, 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. C. B. Grant,	Mr. Minne,
Adams,	Gorman,	W.H.C. Mitchell,
Adsit,	Gray,	Norris,
Barnaby,	Green,	Pattengell,
Bates,	Greusel,	Pearl,
Brockway,	Haack,	Phillips,
Cameron,	Harris,	Post,
Chamberlain,	J. Haynes,	Priest,
Climie,	Haywood,	Rood.
Cochrane,	Holland,	Roost,
Congdon,	Holt,	Runyan,
Copley,	Huff,	Smith,
Coulter,	Hughes,	Sumner,
Crane,	Hurlbut,	Swineford,
Crofoot,	Huston,	Thayer,
Doty,	Knapp,	Van Scoy,
Edwards,	Little,	Walton,
Ferris,	McGonegal.	Watkins,
Ferry,	E. R. Miller,	Wells,
Garfield,	N. L. Miller,	White,
Gibson,	R. C. Miller,	Williams,
Gillam,	Millington,	Speaker,

66

NAYS.

0

Title agreed to.

On motion of Mr. Bates,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 125, entitled

A bill to amend sections 18, 41, and 57, of an act entitled "An act to revise the charter of the village of Wenona," approved March 20th, 1869, and to add five new sections thereto, to stand as sections 62, 63, 64, 65, and 66,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Huston,

The bill was amended by striking out, in line 1 of recited section 18, the words "except that of village attorney."

On motion of Mr. Bates,

The bill was amended by striking out the word "five," in the second line of the enacting section, and inserting "six" in lieu thereof, and by striking out the word "and," before the figures "66," and inserting "and 67," after "66;" also, by adding the following new section, to stand as section 67:

"SEC. 67. The common council shall have power to drain low or wet lands, swamps, or marshes within said village, by means of ditches, drains, sewers, or lateral sewers, whenever they shall deem the same necessary to prevent disease or to promote the health of the inhabitants of said village, by ordinance or resolution, for the purpose of levying and assessing taxes to defray the expense or any portion thereof, of constructing, repairing or maintaining any such ditch, drain, sewer, or lateral sewer for the purpose aforesaid, and to cause the expense of making maintaining, or repairing any such ditch, drain, sewer, or lateral sewer, or any portion thereof, to be assessed upon the lots or premises situate within such taxing district. All apportionments for the purpose of such assessment shall be made upon the basis of benefits accruing to each tract or parcel of land so assessed, or to the owner or owners thereof, by reason of the construction of any such ditch, drain, sewer, or lateral sewer, and said common council may also provide for the payment of such portion or proportion of the aggregate expense of such ditch, drain, sewer, or lateral sewer out of the general fund or highway fund, or both of said funds, as to the said common council may seem just and proper."

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gorman,	Mr. Norris,
Adams,	Green,	C. Y. Osburn,
Adsit,	Greusel,	Pattengell,
Atwood,	Haack,	Pearl,
Barnaby,	Harris,	Phillips,
Bates,	J. Haynes,	Priest,
Brockway,	Holland,	Riford,

Mr. Cameron,	Mr. Holt,	Mr. Rood,
Chamberlain,	Hoyt,	Roof,
Climie,	Huff,	Roost,
Cochrane,	Hughes,	Ross,
Congdon,	Hurlbut,	Runyan,
Copley,	Huston,	Smith,
Coulter,	Knapp,	Sumner.
Crane,	Lamb,	Swineford,
Crofoot,	McGonegal,	Thayer,
Doty,	E. R. Miller,	Van Scoy,
Edwards,	N. L. Miller,	Walton,
Ferris,	R. C. Miller,	Watkins,
Ferry,	Millington,	Wells,
Garfield,	Minne,	White,
Gibson,	P. Mitchell,	Williams,
Gillam,	W.H.C. Mitchell,	Speaker,
O. B. Grant,		

70

NAYS.

0

The question being on agreeing to the title,

On motion of Mr. Bates,

The title was amended by striking out the word "five," after the word "and," and inserting the word "six" in lieu thereof; also, by striking out the word "and," where it occurs before the figures "66," and adding "and 67" thereafter.

The title, as amended, was then agreed to.

On motion of Mr. Bates,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

MOTIONS AND RESOLUTIONS.

Mr. Riford moved to take from the table House bill No. 175, entitled

A bill to authorize boards of supervisors to provide for the purchase of Brown's Michigan Nisi Prius Reports;

Which motion prevailed.

The question being on the passage of the bill,

The bill having been read a third time, pending the taking of the vote thereon,

Mr. Riford moved that there be a call of the House;

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs. Brown, Fenton, H. Haynes, J. Haynes, Haywood, S. W. Hill, Houseman, and Moshier.

On motion of Mr. Adam,

Leave of absence was granted Mr. Fenton for the day.

On motion of Mr. Post,

All further proceedings under the call were dispensed with.

Mr. Millington moved to amend the bill by inserting in line 3, section 1, after the word "Reports," the words "Tiffany's Criminal Treatise and Waterman's Justices' Guide ;"

Which motion did not prevail.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Atwood,	Mr. J. Haynes,	Mr. Phillips,	
Brockway,	Holland,	Priest,	
Cameron,	Hoyt,	Riford,	
Chamberlain,	Hughes,	Roof,	
Copley,	Hurlbut,	Ross,	
Coulter,	Huston,	Smith,	
Crofoot,	Knapp,	Sumner,	
Ferris,	Lamb,	Thayer,	
Gibson,	Little,	Wells,	
Gillam,	P. Mitchell,	Williams,	
Harris,	W.H.C. Mitchell,	Speaker,	33

NAYS.

Mr. Adam,	Mr. Gray,	Mr. Norris,
Adams,	Green,	Pattengell,
Adsit,	Greusel,	Pearl,
Barnaby,	Grosvenor,	Post,
Bates,	Haack,	Rood,
Climie,	Hart,	Roost,
Cochrane,	H. Haynes,	Runyan,
Congdon,	Hazen,	Swineford,
Crane,	N. R. Hill,	Tobey,
Doty,	Huff,	Van Scoy,
Edwards,	E. R. Miller,	Walton,

Mr. Ferry,
Garfield,
C. B. Grant,
Gorman,

Mr. N. L. Miller,
R. C. Miller,
Millington,
Minne,

Mr. Watkins,
Webster,
White,

44

Mr. Riford moved to reconsider the vote by which the House refused to pass House bill No. 300, entitled

A bill to provide for publishing the Statistics of the State of Michigan, taken by authority of the United States, in the year 1870; also, for publishing the social statistics of Michigan, collected under the authority of act No. 4, of the laws passed at the extra session of the Legislature of this State, in the year 1870;

Which motion prevailed.

On motion of Mr. Riford,

The bill was recommitted to the committee on State affairs.

Mr. Hoyt moved to discharge the committee of the whole from the further consideration of Senate bill No. 176, entitled

A bill making appropriations for the State Reform School for the years 1871 and 1872;

Which motion prevailed.

On motion of Mr. Hoyt,

The bill was placed on its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Holt moved to amend the bill by striking out all of section 1, after the word "seventy-two," in the 6th line, and adding the following, to stand as sections "two" and "three" of the bill:

"SEC. 2. The several sums appropriated by the provisions of this act shall be passed to the credit of the Reform School, and paid to the Board of Control, officer, or person and persons entitled to receive the same, at such times and in such manner, and amounts only, as are provided by law, and as may be made to appear to the Auditor General to be necessary for the immediate wants of the Reform School; and in no case shall a greater sum be drawn at one time from the State Treasury than five thousand dollars.

"SEC. 3. The sum of thirty-five thousand dollars the Auditor General shall add to and incorporate with the State tax for the year one thousand eight hundred and seventy-one, and the sum of thirty-five thousand dollars the Auditor General shall add to and incorporate with the State tax for the year one thousand eight hundred and seventy-two, which sums, when collected, shall be passed to the credit of the general fund;"

Which motion prevailed.

Mr. Watkins moved that there be a call of the House;

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs. Congdon, Haywood, S. W. Hill, Houseman, Minne, and Ross.

On motion of Mr. Rood,

The Sergeant-at-Arms was dispatched after the absentees.

The Sergeant-at-Arms announced Mr. Congdon at the bar of the House.

On motion of Mr. Post,

Mr. Congdon was admitted within the bar, rendered an excuse, and took his seat.

On motion of Mr. Atwood,

Leave of absence was granted Mr. S. W. Hill for the day.

On motion of Mr. Hughes,

Leave of absence was granted Mr. Brown for the day.

On motion of Mr. Post,

All further proceedings under the call were dispensed with.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Green,	Mr. Moshier,
Adams,	Greusel,	C. Y. Osburn,
Adsit,	Grosvenor,	Pattengell,
Barnaby,	Harris,	Pearl,
Bates,	Hart,	Phillips,
Brockway,	H. Haynes,	Post,

Mr. Cameron, Chamberlain, Climie, Cochrane, Congdon, Copley, Coulter, Crane, Crofoot, Doty, Edwards, Ferris, Ferry, Garfield, Gibson, Gillam, C. B. Grant, Gray,	Mr. J. Haynes, Haywood, Hazen, N. R. Hill, Holland, Holt, Hoyt, Huff, Hughes, Huston, Knapp, Lamb, E. R. Miller, N. L. Miller, R. C. Miller, Millington, P. Mitchell,	Mr. Riford, Rood, Roof, Roost, Runyan, Smith, Swineford, Thayer, Tobey, Van Scoy, Walton, Watkins, Webster, Wells, White, Williams, Speaker,
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70

NAYS.

Mr. Atwood, Gorman, Haack,	Mr. Hurlbut, Little, W.H.C. Mitchell,	Mr. Norris, Sumner,
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8

Title agreed to.

On motion of Mr. Hoyt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The committee on public lands, unanimous consent being given, made the following report :

The committee on public lands, to whom was recommitted House bill No. 328, being

A bill to provide for the drainage of the swamp lands in the township of Lee, in the county of Calhoun, and making an appropriation therefor from the swamp land fund,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute for sections two and three, and adding two new sections, to stand as sections four and five, recommending that the amendments be concurred in, making no further recommendations, and

ask to discharged from the further consideration of the subject.

EZRA HAZEN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Brockway,

The House concurred in the amendments to the bill reported by the committee.

On motion of Mr. Brockway,

The bill was placed on its immediate passage.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Greusel,	Mr. W.H.C. Mitchell,
Adams,	Grosvenor,	Moshier,
Adsit,	Haack,	Norris,
Andrews,	Harris,	C. Y. Osburn,
Barnaby,	Hart,	J. M. Osborn,
Bates,	J. Haynes,	Pattengell,
Brockway,	Haywood,	Pearl,
Cameron,	Hazen,	Phillips,
Climie,	N. R. Hill,	Priest,
Cochrane,	Holland,	Riford,
Congdon,	Hoyt,	Rood,
Copley,	Huff,	Roof,
Coulter,	Hughes,	Roost,
Crane,	Hurlbut,	Runyan,
Crofoot,	Huston,	Smith,
Doty,	Knapp,	Sumner,
Edwards,	Little,	Swineford,
Ferris,	McGonegal,	Thayer,
Ferry,	E. R. Miller,	Van Scoy,
Garfield,	N. L. Miller,	Walton,
Gillam,	R. C. Miller,	Webster,
C. B. Grant,	Millington,	Wells,
Gorman,	P. Mitchell,	White,
Green,		

70

NAYS.

Mr. Garrison,	Mr. Holt,	Mr. Watkins,
Gray,	Lamb,	Speaker,
H. Haynes,		

7

Title agreed to.

On motion of Mr. Brockway,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. J. Haynes moved to take from the table the substitute for House bill No. 355, entitled

A bill to amend sections 4, 6, and 9, and repeal section 7, of an act entitled "An act to provide for the further geological survey of the State," approved March 26, 1869;

Which motion prevailed.

On motion Mr. J. Haynes,

The bill was referred to the committee on geological survey.

The committee on insurance, unanimous consent being given, made the following report:

The committee on insurance, to whom was referred Senate bill No. 173, entitled

A bill to amend sections 21 and 22, of an act entitled "An act for the incorporation of insurance companies, and defining their powers and duties," approved February 15, 1859, as amended by the several acts amendatory thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

SAMUEL POST, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Roof,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

Mr. Huston moved to discharge the committee of the whole from the further consideration of House bill No. 338, entitled

A bill to exempt the county of Tuscola from the provisions

of act number 43, of the session laws of 1869, being an act entitled "An act to provide for the drainage of swamps, marshes, and other low lands;"

Which motion prevailed.

On motion of Mr. Huston,

The bill was placed on its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Huston moved to amend the bill by adding thereto the following :

"Provided, That the vested rights of no party or person shall be prejudiced by the passage of this act ;"

Which motion prevailed.

Mr. Phillips moved to amend the bill by inserting after the word "Tuscola," the words "and Genesee;"

Which motion did not prevail.

Mr. Atwood moved to amend the bill by inserting after the word "Tuscola," the words "and Ingham ;"

Which motion did not prevail.

Mr. Andrews moved to amend the bill by inserting after the word "Tuscola," the words "and Oakland ;"

Which motion prevailed.

Mr. Lamb moved to amend the bill by inserting after the word "Oakland," the words "and Lapeer ;"

Which motion prevailed.

Mr. Roof moved to amend the bill by striking out in the first line, the words "the counties of Tuscola, Oakland, and Lapeer," and inserting the words, "all the counties of both the Upper and Lower Peninsula ;"

Which motion did not prevail.

On motion of Mr. Riford,

The vote was reconsidered by which the House refused to insert the word "Genesee" in the bill.

The motion to insert the word "Genesee" then prevailed.

Mr. Grosvenor moved to lay the bill on the table,

Which motion did not prevail.

On motion of Mr. J. M. Osborn,

The words "and Hillsdale" was inserted after the word "Lapeer."

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Haack,	Mr. C. Y. Osborn,
Adams,	Hart,	J. M. Osborn,
Andrews,	H. Haynes,	Pearl,
Atwood,	J. Haynes,	Phillips,
Barnaby,	Haywood,	Rood,
Bates,	Hazen,	Roof,
Olimie,	N. R. Hill,	Runyan,
Cochrane,	Holland,	Sumner,
Copley,	Huff,	Smith,
Coulter,	Hurlbut,	Sumner,
Crane,	Huston,	Thayer,
Crofoot,	Lamb,	Tobey,
Doty,	Little,	Van Scoy,
Edwards,	E. R. Miller,	Walton,
Gillam,	N. L. Miller,	Watkins,
C. B. Grant,	R. C. Miller,	Webster,
Gorman,	Millington,	Wells,
Gray,	W.H.C. Mitchell,	White,
Green,	Montgomery,	Williams,
Greusel,	Moshier,	Speaker,
Grosvenor,	Norris,	

62

NAYS.

Mr. Adsit,	Mr. Garfield,	Mr. Post,
Cameron,	Hughes,	Priest,
Chamberlain,	Knapp,	Riford,
Congdon,	P. Mitchell,	Roost,
Ferry,		

13

The question being on agreeing to the title,

On motion of Mr. Huston,

The title was amended by inserting after the word "Tuscola" the words "Hillsdale, Genesee, Oakland, and Lapeer."

The title, as amended, was then agreed to.

On motion of Mr. Huston,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. C. B. Grant moved to take from the table Senate bill No. 9, entitled

A bill regulating the fees of judges of probate, clerks of courts, justices of the peace, and notaries public, in certain cases;

Which motion prevailed,

On motion of Mr. C. B. Grant,

The bill was referred to the committee of the whole, and placed on the general order.

The committee on internal improvements, unanimous consent being given, made the following report :

The committee on internal improvements, to whom was referred Senate joint resolution No. 15, entitled

Joint resolution proposing an amendment to the constitution of the State of Michigan, by adding a new section to article 19-A, "Of railroads," to stand as section 3, of said article,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ALBERT K. ROOF, *Acting Chairman.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

Mr. C. B. Grant moved to take from the table Senate bill No. 122, entitled

A bill to amend section 1, of act No. 162, laws of 1851, being "An act to provide the furnishing of fuel and stationery for the use of the State, and also the State printing and binding," approved June 24, 1851 ;

Which motion prevailed.

On motion of Mr. C. B. Grant,

The bill was referred to the committee of the whole, and placed on the general order.

Mr. Hughes moved to take from the table House manuscript bill, entitled

A bill to aid in the completion of the Newaygo and Dayton State road, and making an appropriation therefor ;

Which motion prevailed.

On motion of Mr. Hughes,

The bill was referred to the committee on judiciary.

Mr. Atwood offered the following:

Resolved, That the State Treasurer be and he is hereby requested to inform this House, by a detailed statement, of the items composing the aggregate amount of \$2,108 71, appearing on page 15, of the annual report of the State Treasurer, for the last fiscal year, 1870, denominated "expenses of sales;" to whom paid, for what purposes, under what law such indebtedness accrued, and what sums have been expended during the present current fiscal year for the same purpose; to whom paid, and the probable amount which will be required for the same purpose before the close of the current fiscal year.

Resolved, That the Clerk of this House be and he is hereby instructed to forward to said State Treasurer a copy of this resolution, and request an early reply ;

Which was adopted.

Mr. Little moved to take from the table Senate bill No. 20, entitled

A bill to confirm the record of letters of attorney in certain cases ;

Which motion prevailed.

On motion of Mr. Little,

The bill was placed on the order of third reading.

GENERAL ORDER.

On motion of Mr. Brockway,

The House went into committee of the whole on the general order,

Mr. J. Haynes in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 309, entitled

A bill to amend section 2149, of chapter 73, of the compiled laws of the State of Michigan, entitled "General provisions relating to corporations;"

2. House bill No. 336, entitled

A bill to detach certain territory from the city of Hillsdale, and to add the same to the township of Hillsdale;

3. House bill No. 337, entitled

A bill providing a name for a certain male child, whose parentage is unknown, and constituting it the heir-at-law of Jacob Bush and Susannah Bush;

4. Senate bill No. 62, entitled

A bill to provide for the deposit and safe keeping of the public moneys belonging to the county of Wayne, and to prescribe the duties of the treasurer and board of auditors of said county in relation thereto;

5. House bill No. 345, entitled

A bill to change the name of Seth Dimick Adams to Seth Dimick Gage, and to constitute him heir-at-law of Franklin Gage and Mary C. Gage;

6. House bill No. 349, entitled

A bill to provide for the incorporation of St. George's societies;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

7. House bill No. 330, entitled

A bill to amend section 127, of act No. 186, of the session laws of 1863, being an act entitled "An act to amend an act

entitled an act to amend sections 11 and 127, of chapter 117, of the compiled laws, relative to security for costs in justices courts;

8. Senate bill No. 123, entitled

A bill to provide for the incorporation of ferry companies;

9. House bill No. 335, entitled

A bill to repeal act No. 271, of the session laws of 1848, being an act entitled "An act to incorporate the Flint and Fentonville plank road company," approved April 3, 1848;

10. House bill No. 340, entitled

A bill to provide for the re-sale of certain swamp lands, sold under section 8, of act No. 31, of the session laws of 1858, on section No. 2, of act No. 106, of the session laws of 1859;

11. House bill No. 344, entitled

A bill to attach certain territory to fractional school district No. 7, of the towns of Lenox and Chesterfield, in the county of Macomb;

12. House bill No. 346, entitled

A bill relative to certain cemetery property within the city of Saginaw, in Saginaw county;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled joint resolutions:

1. Senate joint resolution No. 4, entitled

Joint resolution relative to the purchase by the State of Michigan, of block one hundred and fifteen, in the city of Lansing;

2. House joint resolution No. 23, entitled

Joint resolution in reference to the printing and binding of the new compiled laws;

Have made no amendments thereto, and have directed their

chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled joint resolution :

3. House joint resolution No. 24, entitled

Joint resolution in relation to the sale of the compiled laws ;

Have made an amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

JOHN HAYNES, *Chairman.*

Report accepted and committee discharged.

The first six named bills and the first two named joint resolutions were placed on the order of third reading.

On motion of Mr. Chamberlain,

The House concurred in the amendments made to the seventh, eighth, ninth, tenth, eleventh, and twelfth named bills, and third named joint resolution, by the committee, and they were placed on the order of third reading.

Mr. Williams moved that the House take a recess until 7 : 30 o'clock this evening.

Pending which,

On motion of Mr. Montgomery,

The House adjourned.

Lansing, Wednesday, March 29, 1871.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Robinson.

Roll called: quorum present.

Absent without leave: Mr. Roost.

Mr. Harris asked leave of absence for himself until Saturday. Objected to.

On motion of Mr. Holland,

Leave of absence was granted Mr. Harris until Saturday.

Mr. Ferris asked and obtained leave of absence for Mr. Roost until Tuesday next.

PRESENTATION OF PETITIONS.

By Mr. McGonegal: Petition of Hamblen, Baker & Co., William Sales, and 50 others, citizens of Detroit, in favor of Senate bill No. 177, known as the "drayman's bill ;"

Also, petition of M. Godfrey, O. Williams, and 56 others, citizens of Detroit, for the same purpose ;

Also, petition of F. S. Ackerman, C. H. Dunks, and 38 citizens of Detroit, for the same purpose ;

Also, petition of H. M. McGraw, John Ellis, and 80 others, citizens of Detroit, for the same purpose ;

Also, petition of N. J. Rodier and 38 others, citizens of Detroit, for the same purpose ;

By Mr. Hoyt: Petition of Moses W. Field and 60 others, citizens of Detroit, for the same purpose ;

Referred to the committee on banks and incorporations.

By Mr. J. Haynes: Memorial of Loud, Gray & Co., and others, citizens of Alcona county, asking for the organization of the town of Maywood, in said county ;

Referred to the committee on towns and counties.

By Mr. R. J. Grant: Remonstrance of W. F. Steele, E. E. Kirkland, and 10 others, against the repeal of the prohibitory liquor law of this State ;

Also, remonstrance of David Trumbull, A. M. Waxman, and 14 others, for the same purpose ;

Referred to the committee on State affairs.

By Mr. R. J. Grant: Petition of G. H. Ranger, A. Wilbur, and 10 others, citizens of Michigan, asking that the present prohibitory law of this State be amended so that the penalties be largely increased, and made to apply to the first offense, and compel the attendance of witnesses; and that there be added to the law a provision for payment by the seller or lessee,

of damage arising from the conduct of any and all persons who obtain liquor from them or from their premises ;

Also, petition of G. H. Strong, R. P. Hobbs, and 69 others, citizens of Kalamazoo, for the same purpose ;

Also, petition of Samuel Kule, Walter Sanders, and 29 others, citizens of Michigan, for the same purpose ;

Referred to the committee on State affairs.

By Mr. W. H. C. Mitchell: Remonstrance of D. L. Filer, S. F. White, L. H. Foster, and 49 others, citizens of this State, against any action whereby the liability of boom companies would be enlarged and oppressive penalties attached thereto ;

Referred to the committee on State affairs.

By Mr. Cochrane: Remonstrance of G. V. N. Lothrop, R. Meginnity, S. G. Wight, and 347 others, citizens of Wayne county, against the passage of Senate bill No. 62, relative to the treasurer of Wayne county ;

Also, remonstrance of J. K. Andrews, Stephen Martin, and 458 others, citizens of Wayne county, for the same purpose ;

Also, remonstrance of J. Heuser, J. C. Fisher, and 30 others, citizens of Wayne county, for the same purpose ;

Referred to the committee on banks and incorporations.

REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to change the name of George F. Carney to that of George F. Powers, and that he be constituted heir-at-law of Josiah Stuart Powers and Mary Powers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. CAMERON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture :

The committee on agriculture, to whom was recommitted House bill No. 234, being

A bill to amend section 3, of chapter 25, of the revised statutes of 1846, being section 1069, of chapter 22, of the compiled laws, relating to highways,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

JACOB WALTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Garrison,

The House concurred in the adoption of the substitute reported by the committee.

The question being on the passage of the bill,

On motion of Mr. Barnaby,

The bill was laid on the table and ordered printed.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following entitled bills:

1. House manuscript bill, entitled

A bill to change the boundaries of certain fractional school districts of Clarence and Sheridan, in the county of Calhoun;

2. House bill No. 292, entitled

A bill to revise and amend an act entitled "An act to incorporate the city of Muskegon;"

3. House bill No. 241, entitled

A bill to provide for the adjustment and payment of certain ditch taxes in the county of Lenawee ;

4. House bill No. 126, entitled

A bill to amend act No. 147, of the session laws of 1869, entitled "An act to amend section 1666, being section 8, of chapter 52, of the compiled laws, relative to the manufacture and sale of intoxicating drinks as a beverage;"

5. House bill No. 216, entitled

A bill to amend the charter of the village of Milford;

6. House bill No. 342, being

A bill to incorporate the village of Grass Lake;

7. House bill No. 123, entitled

A bill to organize union school district of the township of Rogers.

JNO. F. COULTER, *Acting Chairman.*

Report accepted.

By the committee on judiciary:

The committee on judiciary, to whom was referred Senate bill No. 207, entitled

A bill to detach the county of Emmet from the 11th judicial circuit, and attach the same to the 13th judicial circuit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred Senate bill No. 206, entitled

A bill to amend section 10, of chapter 105, of the compiled laws, relative to filing of chattel mortgages,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary :

The committee on judiciary, to whom was referred Senate bill No. 115, entitled

A bill to amend sections 5318 and 5323, of the compiled laws, being sections 1 and 6, of chapter 162, entitled "Of writs of mandamus and prohibition,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rood,

The House concurred in the amendment made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on judiciary :

The committee on judiciary, to whom was referred

A bill to facilitate the business of circuit court commissioners, and to repeal act No. 5, of the session laws of 1869, approved January 30, 1869,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so

amended, do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Priest,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations :

The committee on banks and incorporations, to whom was recommitted Senate bill No. 103, being

A bill to incorporate the village of Dundee ;

Also, a petition to change the boundaries of said proposed village, by enlarging the same beyond the limits prescribed in said bill ;

Respectfully report that, after carefully considering the subject, they find that the lands sought to be included in said incorporation are farming lands not necessary for village purposes, and have directed me to report the bill back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. D. GARRISON, *Acting Chairman*.

Report accepted and committee discharged.

On motion of Mr. Sumner,

The bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Gray,	Mr. R. C. Miller,
Adams,	Green,	Millington,
Adsit,	Greusel,	Minne,
Andrews,	Grosvenor,	P. Mitchell,
Barnaby,	Haack,	W.H.C. Mitchell,
Brockway,	Harris,	Moshier,

Mr. Brown,	Mr. Hart,	Mr. Norris,
Chamberlain,	H. Haynes,	J. M. Osborn,
Clement,	J. Haynes,	Pearl,
Climie,	Haywood,	Pattengell,
Cochrane,	Hazen,	Riford,
Congdon,	N. R. Hill,	Ross,
Coulter,	S. W. Hill,	Runyan,
Crofoot,	Holland,	Smith,
Doty,	Houseman,	Sumner,
Edwards,	Hoyt,	Thayer,
Ferris,	Huff,	Tobey,
Garfield,	Hughes,	Van Scoy,
Garrison,	Kellogg,	Walker,
Gibson,	Knapp,	Walton,
Gillam,	Lamb,	Webster,
C. B. Grant,	Little,	Wells,
R. J. Grant,	McGonegal,	White,
Gorman,	N. L. Miller,	Speaker, 72
	NAYS.	0

Title agreed to.

On motion of Mr. Sumner,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The Speaker announced that the hour had arrived for the consideration of the

SPECIAL ORDER.

On motion Mr. Gillam,

The House went into committee of the whole on the special order,

Mr. Gillam in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. Senate bill No. 169, entitled

A bill making appropriations for the support of the Michigan Institution for educating the deaf and dumb, and the blind, for the years 1871 and 1872, and for completing and furnishing the buildings, and improving the grounds of said Institu-

tion, and for purchasing tools and stock, and to pay foremen of shops of same;

2. House bill No. 170, entitled

A bill making appropriations for the Michigan Institution for educating the deaf and dumb, and the blind, for the years 1871 and 1872;

3. House bill No. 395, entitled

A bill to provide for making appropriation for furnishing front building, gas and gas-fixtures, repairing floors, painting, purchasing gates, inside shutters, salary of steward, horse and spring-wagon, for the Institution for educating the deaf, dumb, and the blind;

Have made sundry amendments to the Senate bill, and have directed their chairman to report the several bills back to the House, asking concurrence in the amendments made to the Senate bill, and recommend its passage.

GEO. F. GILLAM, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Riford,

The House concurred in the amendments made to the Senate bill by the committee, and the bill was placed on the order of third reading.

On motion of Mr. Riford,

The second and third named bills were laid on the table.

On motion of Mr. C. B. Grant.

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

REPORTS OF STANDING COMMITTEES.

By the committee on towns and counties :

The committee on towns and counties, to whom was referred

A bill to vacate the township of Algonquin, in the county of Ontonagon, and attach the same to the township of Greenland, in said county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

N. L. MILLER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements :

The committee on internal improvements, to whom was referred Senate bill No. 64, entitled

A bill to regulate the transportation of freight and passengers, and the management of railroads of this State not incorporated under an act entitled "An act to provide for the incorporation of railroad companies," approved February 12th, 1855,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

ALBERT K. ROOF, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Barnaby,

The House concurred in the amendment made to the bill by the committee.

The bill was then referred to the committee of the whole and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following entitled bills:

1. House bill No. 119, entitled

A bill giving the auditors of Wayne county a salary;

2. House bill No. 223, entitled

A bill to authorize the city of Ypsilanti to vacate a cemetery, and to prevent burials in the eastern cemetery;

3. House bill No. 232, entitled

A bill to change the name of the township of Lovell, in Muskegon county, to Fruitport;

4. House bill No. 271, entitled

A bill to amend an act entitled "An act to amend an act entitled 'An act to establish a police court in the city of Detroit,' approved April 2, 1850, and to add a new section thereto, approved March 20, 1863," and to add a new section thereto;

5. House bill No. 283, entitled

A bill to legalize certain acts and proceedings of the board of fire commissioners in the city of Detroit;

6. House bill No. 285, entitled

A bill to amend act No. 162, of the session laws of 1867, entitled "An act relative to the imprisonment of parties in civil suits in certain cases," by adding a new section, to stand as section three;

7. House bill No. 293, entitled

A bill to authorize school district No. 9, of the township of Battle Creek, in the county of Calhoun, to issue bonds;

8. House bill No. 83, entitled

A bill to amend sections 1, 2, 3, 4, 5, and 6, of an act entitled "An act to provide for laying out and establishing a

State road in the counties of Macomb and St. Clair," being act No. 402, of session laws of 1869.

C. Y. OSBURN, *Acting Chairman.*

Report accepted.

COMMUNICATION FROM STATE OFFICERS.

The Speaker announced the following:

STATE TREASURER'S OFFICE, }
Lansing, March 29, 1871. }

Hon. J. J. Woodman, Speaker of the House of Representatives :

SIR—In reply to the resolution of the House, adopted March 28th, requesting the State Treasurer to furnish a detailed statement of the items composing the amount in last State Treasurer's report, entitled "Expenses of Sale," I would respectfully inform you that this department is not able to give the desired information, as the vouchers composing said amount are filed monthly with the Auditor General.

The term "Expenses of Sale" is used to cover the miscellaneous expenses of the Auditor General's office.

Very respectfully,

H. D. BARTHOLOMEW,
Deputy State Treasurer.

The communication was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, March 28, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bills:

1. House bill No. 215, entitled

A bill to change the name of William Zahn to William Sawn;

2. House bill No. 220, entitled

A bill to change the name of Barbara Walker to Ada Putney;

3. House bill No. 245, entitled

A bill to amend sections 40 and 60, of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869;

4. House bill No. 251, entitled

A bill appropriating certain non-resident highway taxes to aid in the construction of the Cass river and Bay City State road;

5. House bill No. 252, entitled

A bill to prevent the adulteration of milk, and to prevent the traffic in impure and unwholesome milk;

6. House bill No. 284, entitled

A bill to legalize the tax-rolls of the township of East Bay, in the county of Grand Traverse, for the years 1868, 1869, and 1870;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 28, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to request the House of Representatives to transmit to the Senate, for inspection and examination by the proper committee, certain remonstrances, now in the hands of the House committee on banks and incorporations, against the passage of House bill No. 280, being

A bill to provide for the creation of a board of public works in the city of Detroit.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. J. Haynes moved that the committee on banks and incorporations be instructed to report the remonstrances back to the House, and the Clerk be directed to transmit the same to the Senate;

Which motion prevailed.

The committee on banks and incorporations submitted the following report:

The committee on banks and incorporations, to whom was referred sundry remonstrances against the passage of House bill No. 280, entitled

A bill to provide for the creation of a board of public works in the city of Detroit,

Respectfully report the same back to the House.

J. M. OSBORN, *Chairman.*

Report accepted.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 28, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 165, entitled

A bill to amend section 4, of act number 119, of the session laws of 1869, entitled "An act to provide for the incorporation of savings associations," approved April 3d, 1869, and to add three new sections thereto, to stand as sections 22, 23, and 24,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, March 28, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following joint resolution :

Senate joint resolution No. 17, entitled

Joint resolution to authorize the Board of State Auditors to audit and allow the account of L. M. S. Smith, for printing, for the use of the supreme court, the pleadings and testimony in the case of the State of Michigan, *ex rel.* Frank H. White, *vs.* Hermanns Doesburg,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, March 28, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill :

House bill No. 8, entitled

A bill to amend sections 5 and 9, of an act entitled "An act to provide for the appointment of a stenographer for the circuit court for the county of Wayne and other counties of this State, and to limit the operation of sections 1 and 4, of an act to declare and establish the practice in charging or instructing jurors, and in settling the law in cases tried in circuit courts, approved March 30th, 1860," approved April 2d, 1869 ;

And to inform the House that the Senate has amended the same as follows:

1. By adding at the end of line 1, section 9, after the word "time," the word "hereafter;"

2. By adding the following proviso to section 9:

"Provided, That stenographers heretofore appointed elsewhere than in the county of Wayne, shall, unless some other contract has been made, receive a salary of two thousand dollars per annum, payable in monthly installments out of the county treasury of the counties composing the circuits employing such stenographer, according and in proportion to the number of suits entered and commenced in the circuit court for such counties, respectively, the preceding year, and it shall be the duty of the circuit judge of such circuit, on the first day of January of each year, or as soon thereafter as may be, to apportion the amount of such salary to be paid by each county in his circuit on the basis aforesaid: And provided further, That the stenographer heretofore appointed in the tenth judicial circuit shall perform the duties of stenographer in the several counties in such circuit as now constituted, and also in the county of Bay, until a stenographer shall be appointed in the eighteenth judicial circuit, and the salary of such stenographer shall be apportioned to and paid by such counties in the manner provided by this act ;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Millington moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. Millington,
Andrews,	R. J. Grant,	Minne,
Atwood,	Gorman,	Montgomery,
Bates,	Gray,	Moshier,
Brockway,	Green,	Norris,
Brown,	Greusel,	C. Y. Osburn,
Cameron,	Haack,	Pearl,
Childs,	Hart,	Pierson,
Climie,	H. Haynes,	Rood,
Cochrane,	J. Haynes,	Ross,
Congdon,	Haywood,	Runyan,
Copley,	Holland,	Smith,
Coulter,	Houseman,	Sumner,
Crane,	Hoyt,	Thayer,
Crofoot,	Huff,	Tobey,
Dalton,	Hughes,	Van Scoy,
Edwards,	Huston,	Walton,
Fenton,	Kellogg,	Watkins,
Ferris,	Knapp,	Webster,
Ferry,	Lamb,	Wells,
Garfield,	Little,	White,
Garrison,	McGonegal,	Williams,
Gibson,	R. C. Miller,	Speaker, 69
	NAYS.	0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 28, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to request the House to return to the Senate

House bill No. 126, entitled

A bill to amend act No. 147, of the session laws of 1869, entitled "An act to amend section 1666, being section 8, of chapter 52, of the compiled laws, relative to the manufacture and sale of intoxicating drinks as a beverage."

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

On motion of Mr. Garrison,
The message was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 28, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bills:

1. Fouse bill No. 156, entitled

A bill to amend chapter 95 of the compiled laws, by extending to executors and administrators power over land contracts in certain cases, by adding a new section thereto, to stand as section No. 19, of said chapter;

2. House bill No. 256, entitled

A bill to legalize the action of the commissioners of highways, in laying out and establishing certain drains or ditches in the township of Ash, Monroe county;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,
Secretary of the Senate.

The bills were then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 28, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 261, entitled

A bill to lay out and establish and improve a swamp land State road from Copper Harbor, across the mineral range, to the valley of the Mineral river, to the N. W. quarter section 35, town 58 N., R. 29 W., on Bete de Gris, in the county of Keweenaw,

And to inform the House that the Senate has amended the same by striking out all of section 2;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. S. W. Hill moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Moshier,
Adams,	Gorman,	Norris,
Adsit,	Gray,	C. Y. Osburn,
Andrews,	Green,	Pattengell,
Bates,	Greusel,	Pearl,
Brockway,	Grosvenor,	Phillips,
Brown,	Haack,	Pierson,
Cameron,	H. Haynes,	Priest,
Obilda,	J. Haynes,	Rood,
Olimie,	Haywood,	Ross,
Congdon,	Holland,	Runyan,
Copley,	Houseman,	Smith,
Coulter,	Huff,	Sumner,
Crane,	Hughes,	Thayer,
Orofoot,	Huston,	Tobey,
Dalton,	Kellogg,	Van Scoy,
Edwards,	Knapp,	Walker,
Fenton,	Lamb,	Walton,
Ferrie,	McGonegal,	Watkins,
Ferry,	E. R. Miller,	Webster,
Garfield,	N. L. Miller,	Wells,
Garrison,	R. O. Miller,	Williams,
Gibson,	Millington,	Speaker,
Gillam,	Minne,	

71

NAYS.

Mr. Riford,

1

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, March 28, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill :

House bill No. 210, entitled

A bill to subject all persons holding office under the Government of the State of Michigan to removal from office for habitual drunkenness,

And to inform the House that the Senate has amended the same, by striking out the word "habitual," in line 1, section 1;

The Senate has also amended the title of the bill, by striking out the word "habitual;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Huston moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Gibson,	Mr. E. R. Miller,
Adams,	Gillam,	N. L. Miller,
Adsit,	R. J. Grant,	R. C. Miller,
Andrews,	Gorman,	Norris,
Atwood,	Gray,	J. M. Osborn,
Brockway,	Green,	Pattengell,
Brown,	Greusel,	Phillips,
Cameron,	Haack,	Pierson,
Chamberlain,	Hart,	Priest,
Childs,	H. Haynes,	Riford,
Clement,	J. Haynes,	Rood,
Climie,	Haywood,	Smith,
Cochrane,	N. R. Hill,	Sumner,
Congdon,	S. W. Hill,	Thayer,
Copley,	Holt,	Tobey,
Coulter,	Houseman,	Van Scoy,

Mr. Crane, Dalton, Edwards, Fenton, Ferris, Ferry, Garfield, Garrison,	Mr. Huff, Huston, Kellogg, Knapp, Lamb, Little, McGonegal,	Mr. Walker, Walton, Watkins, Webster, Wells, Williams, Speaker,
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70

NAYS.

Mr. Bates, Crofoot, Grosvenor, Holland, Hoyt, Hughes,	Mr. Hurlbnt, Millington, Minne, Montgomery, Moshier,	Mr. C. Y. Osburn, Pearl, Roof, Runyan, White,
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16

The title, as amended by the Senate, was then agreed to.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following ;

SENATE CHAMBER,)
Lansing, March 28, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bills :

1. Senate bill No. 197, entitled

A bill authorizing the common council of the city of East Saginaw to make a re-assessment, to defray the expense of a public improvement on Water street, in said city ;

2. Senate bill No. 198, entitled

A bill authorizing the common council of the city of East Saginaw to make a re-assessment, to defray the expense of a public improvement on Washington street, in said city ;

3. Senate bill No. 199, entitled

A bill authorizing the common council of the city of East Saginaw to make a re-assessment, to defray the expense of a public improvement on Genesee street, in said city ;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators

elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bills were read a first and second time by their titles, and,

On motion of Mr. Huston,

The rule requiring the second and third reading of bills to be on different days was suspended, and the several bills were put upon their immediate passage.

The first named bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. Montgomery,
Adsit,	R. J. Grant,	Moshier,
Andrews,	Gorman,	Norris,
Atwood,	Gray,	C. Y. Osburn,
Bates,	Green,	J. M. Osborn,
Brockway,	Greusel,	Pattengell,
Brown,	Grosvenor,	Pearl,
Cameron,	Haack	Priest,
Chamberlain,	Hart,	Riford,
Childs,	H. Haynes,	Rood,
Clement,	J. Haynes,	Ross,
Climie,	S. W. Hill,	Runyan,
Cochrane,	Holland,	Smith,
Congdon,	Houseman,	Sumner,
Copley,	Huff,	Thayer,
Coulter,	Huston,	Tobey,
Crane,	Kellogg,	Van Scoy,
Crofoot,	Knapp,	Walker,
Dalton,	Lamb,	Walton,
Edwards,	Little,	Watkins,
Fenton,	McGonegal,	Webster,
Ferris,	E. R. Miller,	Wells,
Garfield,	R. C. Miller,	White,
Garrison,	Millington,	Williams,
Gibson,	Minne,	Speaker,

NAYS.

Title agreed to.

On motion of Mr. Huston,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The second named bill was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Gorman,	Mr. Moshier,
Adsit,	Gray,	Norris,
Andrews,	Green,	C. Y. Osburn,
Atwood,	Grensel,	J. M. Osborn,
Bates,	Grosvenor,	Pattengell,
Brockway,	Haack,	Phillips,
Brown,	Hart,	Pierson,
Cameron,	H. Haynes,	Priest,
Chamberlain,	J. Haynes,	Riford,
Childs,	N. R. Hill,	Rood,
Clement,	S. W. Hill,	Ross,
Climic,	Holland,	Runvan,
Cochrane,	Houseman,	Smith,
Congdon,	Huff,	Sumner,
Copley,	Huston,	Thayer,
Coulter,	Kellogg,	Tobey,
Crane,	Lamb,	Van Scoy,
Crofoot,	Little,	Walker,
Dalton,	McGonegal,	Walton,
Edwards,	E. R. Miller,	Watkins,
Fenton,	N. L. Miller,	Webster,
Ferris,	R. C. Miller,	Wells,
Garrison,	Millington,	White,
Gibson,	Minne,	Williams,
Gillam,	Montgomery,	Speaker,
R. J. Grant,		

76

NAYS.

0

Title agreed to.

On motion of Mr. Huston,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The third named bill was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. Montgomery,
Adsit,	R. J. Grant,	Moshier,
Andrews,	Gorman,	Norris,
Atwood,	Gray,	C. Y. Osburn,
Bates,	Green,	J. M. Osborn,
Brockway,	Greusel,	Pearl,
Brown,	Grosvenor,	Pattengell,
Cameron,	Haack,	Pierson,
Chamberlain,	H. Haynes,	Priest,
Childs,	J. Haynes,	Riford,
Clement,	N. R. Hill,	Rood,
Climie,	S. W. Hill,	Ross,
Cochrane,	Holland,	Runyan,
Congdon,	Houseman,	Smith,
Copley,	Huff,	Sumner,
Coulter,	Huston,	Thayer,
Crane,	Kellogg,	Tobey,
Crofoot,	Knapp,	Van Scoy,
Dalton,	Lamb,	Walker,
Edwards,	Little,	Walton,
Fenton,	McGonegal,	Webster,
Ferris,	E. R. Miller,	Wells,
Ferry,	N. L. Miller,	White,
Garrison,	R. C. Miller,	Williams,
Gibson,	Millington,	Speaker

75

NAYS.

0

Title agreed to.

On motion of Mr. Huston,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 28, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 195, entitled

A bill to amend an act entitled "An act to authorize the improvement of Fort street, in the township of Springwells," and to provide for the maintenance thereof,

And to inform the House that the Senate has amended the same as follows:

1. By inserting in line 3 of section 1, after the word "freeholders," the words "one of whom shall be a resident;" also, by inserting in line 6, in section 11, after the word "therewith," the words "which amount shall not exceed the sum of twelve thousand and five hundred dollars, and;"

2. By inserting after the word "laws," in line 4 of section 10, the words "with the exceptions contained in section 1910, of the compiled laws of this State;"

3. By striking out, in section 10, line 8, all after the word "said," to and including the word "are," in line 9, and inserting in place thereof the words "assessment district on the line of Fort street, as hereinbefore provided;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Williams moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. Millington,
Adams,	R. J. Grant,	Minne,
Adsit,	Gorman,	Montgomery,
Andrews,	Gray,	Moshier,
Atwood,	Green,	Norris,
Barnaby,	Grosvenor,	C. Y. Osburn,
Bates,	Haack,	J. M. Osborn,
Brockway,	J. Haynes,	Pattengell,
Brown,	Haywood,	Post,
Cameron,	N. R. Hill,	Priest,
Chamberlain,	S. W. Hill,	Riford,
Childs,	Holland,	Rood,
Climie,	Houseman,	Ross,

Mr. Cochran,	Mr. Hoyt,	Mr. Smith,
Copley,	Huff,	Sumner,
Coulter,	Kellogg,	Thayer,
Crane,	Knapp,	Tobey,
Crofoot,	Lamb,	Van Scoy,
Dalton,	Little,	Walton,
Edwards,	McGonegal,	Wells,
Fenton,	E. R. Miller,	White,
Ferris,	N. L. Miller,	Williams,
Ferry,	R. C. Miller,	Speaker,
Garrison,		

70

NAYS.

Mr. Greusel,

1

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 29, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 200, entitled

A bill to amend section 4, of act No. 55, of the session laws of 1867, being an act to provide for county superintendents of schools;

2. Senate bill No. 211, entitled

A bill to incorporate the village of Galien;

3. Senate bill No. 217, entitled

A bill to attach certain territory, to wit: Big Summer Island, St. Martin's Island, Gull Island, and Poverty Island, to Delta county;

4. Senate bill No. 218, entitled

A bill appropriating one section of State swamp land to each mile of the Green Bay and Bay De Noquet State road, in Menominee county, to secure the completion of the same;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators

elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The first named bill was read a first and second time by its title, and referred to the committee on education.

The second named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The third named bill was read a first and second time by its title, and referred to the committee on towns and counties.

The fourth named bill was read a first and second time by its title, and referred to the committee on public lands.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 28, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 348, entitled

A bill to incorporate the village of Williamston,

And to inform the House that the Senate has amended the same as follows:

1. By striking out in line 12, of section 1, the words "Lansing and Howell plank," and inserting in place thereof the words "Detroit, Howell and Lansing rail;"

2. By inserting in line 15, of section 16, after the word "into," the following words: "the necessity of taking such grounds, and inquire into;"

3. By inserting in line 21, of section 16, after the word "into," the following words: "the necessity of taking said grounds;" and in line 22, after the word "of," the words "said necessity;"

4. By striking out, in line 1 of section 18, the word

“Williamstown,” and inserting in place thereof, the word “Williamston;”

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Atwood moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Gibson,	Mr. R. C. Miller,
Adams,	Gillam,	Montgomery,
Adsit,	R. J. Grant,	Moshier,
Andrews,	Gorman,	Norris,
Atwood,	Green,	C. Y. Osburn,
Bates,	Greusel,	Phillips,
Brockway,	Grosvenor,	Pierson,
Brown,	Haack,	Post,
Chamberlain,	Hart,	Priest,
Childs,	H. Haynes,	Riford,
Clement,	J. Haynes,	Rood,
Climie,	Haywood,	Runyan,
Cochrane,	N. R. Hill,	Smith,
Congdon,	S. W. Hill,	Sumner,
Copley,	Holland,	Thayer,
Coulter,	Houseman,	Tobey,
Crane,	Huff,	Van Scoy,
Crofoot,	Huston,	Walker,
Dalton,	Kellogg,	Walton,
Edwards,	Knapp,	Webster,
Fenton,	Lamb,	Wells,
Ferris,	Little,	White,
Ferry,	E. R. Miller,	Williams,
Garrison,	N. L. Miller,	Speaker,
	NAYS.	72
		0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

THIRD READING OF BILLS.

House bill No. 309, entitled

A bill to amend section 2149, of chapter 73, of the compiled laws of the State of Michigan, entitled "General provisions relating to corporations,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gorman,	Mr. Millington,
Adsit,	Green,	Montgomery,
Andrews,	Greusel,	Moshier,
Atwood,	Grosvenor,	Norris,
Brockway,	Haack,	Pierson,
Brown,	H. Haynes,	Post,
Cameron,	J. Haynes,	Priest,
Chamberlain,	Haywood,	Riford,
Childs,	N. R. Hill,	Rood,
Clement,	S. W. Hill,	Ross,
Climie,	Holland,	Runyan,
Cochrane,	Houseman,	Smith,
Congdon,	Hoyt,	Sumner,
Copley,	Huston,	Tobey,
Crane,	Kellogg,	Van Scoy,
Crofoot,	Knapp,	Walker,
Dalton,	Lamb,	Walton,
Edwards,	Little,	Webster,
Ferris,	E. R. Miller,	Wells,
Garfield,	N. L. Miller,	White,
Garrison,	R. C. Miller,	Speaker,
Gibson,		

64

NAYS.

0

The question being on agreeing to the title,

On motion of Mr. Huston,

The title was amended so as to read as follows:

"A bill to amend section 7, of chapter 55, of the revised statutes of 1846, being section 2149, in chapter 73, of the compiled laws, entitled "General provisions relating to corporations."

The title, as amended, was then agreed to.

On motion of Mr. Montgomery,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 330, entitled

A bill to amend section 127, of act No. 186, of the session laws of 1863, being an act entitled "An act to amend an act entitled 'An act to amend sections 11 and 127, of chapter 117 of the compiled laws, relative to security for costs in justices courts,'"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. P. Mitchell,
Adams,	Gorman,	Montgomery,
Andrews,	Grosvenor,	Moshier,
Atwood,	Hart,	C. Y. Osburn,
Barnaby,	H. Haynes,	Phillips,
Bates,	J. Haynes,	Pierson,
Brockway,	Haywood,	Priest,
Brown,	S. W. Hill,	Riford,
Cameron,	Holland,	Ross,
Chamberlain,	Houseman,	Runyan,
Childs,	Huff,	Smith,
Climie,	Huston,	Sumner,
Cochrane,	Little,	Thayer,
Coulter,	N. L. Miller,	Tobey,
Edwards,	R. C. Miller,	Webster,
Garrison,	Millington,	Wells,
Gillam,	Minne,	White,

51

NAYS.

Mr. Adsit,	Mr. Gibson,	Mr. E. R. Miller,
Clement,	Green,	Norris,
Congdon,	Greusel,	Post,
Copley,	Haack,	Rood,
Crane,	N. B. Hill,	Van Scoy,
Crofoot,	Hoyt,	Walker,
Fenton,	Kellogg,	Walton,
Ferris,	Knapp,	Williams,
Ferry,	Lamb,	Speaker,
Garfield,		

28

Title agreed to.

Senate joint resolution No. 4, entitled

Joint resolution relative to the purchase, by the State of Michigan, of block 115, in the city of Lansing,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gorman,	Mr. P. Mitchell,
Adams,	Gray,	Montgomery,
Adsit.	Green,	Moshier,
Atwood,	Greusel,	Norris,
Brockway,	Grosvenor,	C. Y. Osburn,
Brown,	Haack,	Pattengell,
Cameron,	H. Haynes,	Pierson,
Chamberlain,	J. Haynes,	Post,
Childs,	Haywood,	Priest,
Clement,	N. R. Hill,	Riford,
Climie,	S. W. Hill,	Rood,
Cochrane,	Holland,	Smith,
Congdon,	Houseman,	Sumner,
Copley,	Hoyt,	Swineford,
Coulter,	Huff,	Thayer,
Crofoot,	Kellogg,	Tobey,
Dalton,	Knapp,	Walker,
Edwards,	Lamb,	Walton,
Fenton,	Little,	Watkins,
Ferry,	E. R. Miller,	Webster,
Garfield,	N. L. Miller,	Wells,
Garrison,	R. C. Miller,	White,
Gibson,	Millington,	Williams,
Gillam,	Minne,	Speaker,
R. J. Grant,		

73

NAYS.

0

Title agreed to.

On motion of Mr. Pattengell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 335, entitled

A bill to repeal act No. 271, of the session laws of 1848, being an act entitled "An act to incorporate the Flint and Fentonville plank road company," approved April 3, 1848,

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gibson,	Mr. Moshier,	
Adams,	Gillam,	Norris,	
Adsit,	R. J. Grant,	C. Y. Osburn,	
Andrews,	Gorman,	Pattengell,	
Atwood,	Gray,	Pearl,	
Barnaby,	Green,	Pierson,	
Brockway,	Greusel,	Post,	
Brown,	Grosvenor,	Priest,	
Cameron,	Haack,	Riford,	
Chamberlain,	H. Haynes,	Rood,	
Childs,	Haywood,	Roof,	
Clement,	N. R. Hill,	Ross,	
Olimie,	S. W. Hill,	Runyan,	
Ochrane,	Holland,	Smith,	
Congdon,	Houseman,	Sumner,	
Copley,	Huff,	Swineford,	
Coulter,	Huston,	Thayer,	
Crane,	Kellogg,	Tobey,	
Crofoot,	Knapp,	Van Scoy,	
Doty,	Lamb,	Walker,	
Edwards,	Little,	Walton,	
Fenton,	E. R. Miller,	Watkins,	
Ferris,	R. C. Miller,	Webster,	
Ferry,	Millington,	Wells,	
Garfield,	Minne,	Williams,	
Garrison,	P. Mitchell,	Speaker,	78
	NAYS.		0

Title agreed to.

On motion of Mr. Garrison,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 336, entitled

A bill to detach certain territory from the city of Hillsdale, and to add the same to the township of Hillsdale,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gibson,	Mr. Montgomery,
Adsit,	Gillam,	Moshier,
Andrews,	R. J. Grant,	Norris,
Barnaby,	Gorman,	C. Y. Osburn,

Mr. Brockway,	Mr. Gray,	Mr. Pearl,	
Brown,	Green,	Pattengell,	
Cameron,	Greusel,	Pierson,	
Chamberlain,	Haack,	Post,	
Childs,	Hart,	Priest,	
Clement,	H. Haynes,	Riford,	
Climie,	Haywood,	Roof,	
Cochrane,	N. R. Hill,	Ross,	
Congdon,	S. W. Hill,	Runyan,	
Copley,	Houseman,	Smith,	
Coulter,	Huff,	Sumner,	
Crane,	Lamb,	Thayer,	
Crofoot,	Little,	Tobey,	
Doty,	McGonegal,	Walker,	
Edwards,	E. R. Miller,	Walton,	
Fenton,	N. L. Miller,	Watkins,	
Ferris,	R. C. Miller,	Webster,	
Ferry,	Millington,	Wells,	
Garfield,	Minne,	Williams,	
Garrison,	P. Mitchell,	Speaker,	72
	NAYS.		0

Title agreed to.

On motion Mr. Huff,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 337, entitled

A bill providing a name for a certain male child, whose parentage is unknown, and constituting it the heir-at-law of Jacob Bush and Susannah Bush,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Ferry,	Mr. Minne,
Adsit,	Garfield,	P. Mitchell,
Andrews,	Garrison,	Montgomery,
Atwood,	Gibson,	Moshier,
Barnaby,	R. J. Grant,	C. Y. Osburn,
Bates,	Gorman,	Pattengell,
Brockway,	Greusel,	Priest,
Brown,	Haack,	Riford,
Cameron,	H. Haynes,	Rood,
Chamberlain,	Haywood,	Roof,

Mr. Childs, Climie, Cochrane, Congdon, Copley, Coulter, Crane, Crofoot, Dalton, Doty, Edwards, Fenton, Ferris,	Mr. N. R. Hill, Houseman, Hoyt, Huff, Huston, Knapp, Lamb, Little, McGonegal, E. R. Miller, N. L. Miller, R. C. Miller, Millington,	Mr. Ross, Runyan, Smith, Sumner, Thayer, Tobey, Walker, Walton, Watkins, Wells, Williams, Speaker,	68
NAYS.			

Mr. Gillam,	Mr. Kellogg,	Mr. Norris,	3
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Title agreed to.

On motion of Mr. Barnaby,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House joint resolution No. 23, entitled

Joint resolution in reference to the printing and binding of the new compiled laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam, Adsit, Andrews, Atwood, Barnaby, Brown, Cameron, Chamberlain, Childs, Clement, Climie, Cochrane, Congdon, Copley, Crane, Crofoot, Dalton,	Mr. Garfield, Gillam, R. J. Grant, Greusel, Haack, Hart, H. Haynes, Haywood, N. R. Hill, S. W. Hill, Hoyt, Huff, Knapp, Lamb, Little, McGonegal, E. R. Miller,	Mr. P. Mitchell, Montgomery, Norris, Pearl, Pattengell, Pierson, Priest, Riford, Rood, Roof, Ross, Runyan, Smith, Swineford, Tobey, Walker, Walton,
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Mr. Edwards, Fenton, Ferris, Ferry,	Mr. N. L. Miller, R. C. Miller, Millington, Minne,	Mr. Watkins. Webster, Wells, Speaker,	63
----------------------------------------------	-------------------------------------------------------------	------------------------------------------------	----

NAYS.

Mr. Bates, Doty,	Mr. Garrison, Gorman,	Mr. Thayer,	5
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Title agreed to.

Unanimous consent having been given, the following report was made :

The special committee to whom was referred House bill No. 73, entitled

A bill to provide for a uniform assessment of property, and for the collection and return of taxes thereon, and to repeal act 169, of the session laws of 1869, entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Walton,

The House concurred in the amendments made to the bill by the committee, and by the committee of the whole.

The question being on the passage of the bill, pending the taking of the vote thereon,

Mr. Hurlbut moved that there be a call of the House ;

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members were reported absent without leave: Messrs. Hazen and W. H. C. Mitchell.

On motion of Mr. Fenton,

All further proceedings under the call were dispensed with.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Gillam,	Mr. Moshier,
Adsit,	Gorman,	Pattengell,
Andrews,	Gray,	Phillips,
Atwood,	Grosvenor,	Pierson,
Barnaby,	H. Haynes,	Priest,
Bates,	J. Haynes,	Riford,
Cameron,	N. R. Hill,	Rood,
Chamberlain,	S. W. Hill,	Roof,
Olimie,	Holland,	Ross,
Congdon,	Houseman,	Runyan,
Copley,	Hurlbut,	Smith,
Coulter,	Kellogg,	Sumner,
Crane,	Knapp,	Swineford,
Crofoot,	Lamb,	Thayer,
Doty,	Little,	Walton,
Edwards,	E. R. Miller,	Webster,
Fenton,	R. C. Miller,	White,
Ferry,	Millington,	Williams,
Garfield,	Montgomery,	Speaker,

57

NAYS.

Mr. Adam,	Mr. Green,	Mr. Minne,
Brockway,	Greusel,	P. Mitchell,
Brown,	Haack,	Norris,
Childs,	Hart,	C. Y. Osburn,
Clement,	Haywood,	J. M. Osborn,
Cochrane,	Holt,	Pearl,
Dalton,	Hoyt,	Post,
Ferris,	Huff,	Tobey,
Garrison,	Hughes,	Van Scoy,
Gibson,	Huston,	Walker,
C. B. Grant,	McGonegal,	Watkins,
R. J. Grant,	N. L. Miller,	Wells,

36

Title agreed to.

House joint resolution No. 24, entitled

Joint resolution in relation to the sale of the compiled laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gorman,	Mr. Norris,
Adams,	Green,	C. Y. Osburn,
Adsit,	Greusel,	J. M. Osborn,
Andrews,	Grosvenor,	Pearl,
Atwood,	Haack,	Pattengell,
Bates,	Hart,	Phillips,
Brockway,	J. Haynes,	Pierson,
Brown,	Haywood,	Post,
Chamberlain,	S. W. Hill,	Priest,
Clement,	Holland,	Riford,
Climie,	Holt,	Rood,
Cochrane,	Houseman,	Roof,
Congdon,	Hoyt,	Ross,
Copley,	Huff,	Runyan,
Coulter,	Hughes,	Smith,
Crane,	Hurlbut,	Sumner,
Crofoot,	Kellogg,	Swineford,
Dalton,	Knapp,	Thayer,
Doty,	Lamb,	Tobey,
Edwards,	Little,	Van Scoy,
Fenton,	McGonegal,	Walker,
Ferris,	E. R. Miller,	Walton,
Garfield,	N. L. Miller,	Watkins,
Garrison,	Millington,	Webster,
Gibson,	Minne,	Wells,
Gillam,	P. Mitchell,	White,
C. B. Grant,	Montgomery,	Speaker,
R. J. Grant,	Moshier,	

83

NAYS.

Mr. Williams,

1

Title agreed to.

On motion of Mr. Millington,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 340, entitled

A bill to provide for the re-sale of certain swamp lands, sold under section 8, of act No. 31, of the session laws of 1858, on section No. 2, of act No. 106, of the session laws of 1859,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Adsit,
Atwood,
Bates,
Brown,
Chamberlain,
Clement,
Cochrane,
Congdon,
Copley,
Coulter,
Crane,
Doty,
Edwards,
Fenton,
Ferris,
Garfield,
Garrison,
Gibson,
Gillam,
C. B. Grant,
R. J. Grant,
Gorman,

Mr. Green,
Grosvenor,
Haack,
Hart,
H. Haynes,
J. Haynes,
Haywood,
S. W. Hill,
Holland,
Holt,
Houseman,
Huff,
Hughes,
Hurlbut,
Knapp,
E. R. Miller,
N. L. Miller,
Millington,
Minne,
P. Mitchell,
Montgomery,
Moshier,
Norris,
C. Y. Osburn,

Mr. J. M. Osborn,
Pattengell,
Pearl,
Phillips,
Pierson,
Post,
Priest,
Riford,
Rood,
Roof,
Ross,
Smith,
Sumner,
Swineford,
Thayer,
Tobey,
Walker,
Walton,
Watkins,
Wells,
White,
Williams,
Speaker,

71

NAYS.

Mr. Crofoot,
Greusel,

Mr. Lamb,

Mr. Webster,

4

Title agreed to.

Senate bill No. 123, entitled

A bill to provide for the incorporation of ferry companies,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Adsit,
Andrews,
Bockway,
Chamberlain,
Clement,
Climie,
Cochrane,

Mr. Grosvenor,
Haack,
H. Haynes,
J. Haynes,
Haywood,
S. W. Hill,
Holland,
Holt,
Houseman,

Mr. Norris,
C. Y. Osburn,
Pearl,
Pattengell,
Phillips,
Post,
Priest,
Riford,
Rood,

Mr. Congdon,	Mr. Huff,	Mr. Roof,	
Copley,	Hughes,	Ross,	
Coulter,	Kellogg,	Swineford,	
Doty,	Knapp,	Thayer,	
Fenton,	Lamb,	Tobey,	
Ferris,	Little,	Walker,	
Ferry,	McGonegal,	Walton,	
Gibson,	N. L. Miller,	Watkins,	
Gillam,	Millington,	Webster,	
C. B. Grant,	Minne,	Wells,	
R. J. Grant,	P. Mitchell,	White,	
Green,	Montgomery,	Williams,	
Greusel,	Moshier,	Speaker,	66
	NAYS.		

Mr. Pierson, 1
Title agreed to.

On motion of Mr. Greusel,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 344, entitled

A bill to attach certain territory to fractional school district No. 7, of the towns of Lenox and Chesterfield, in the county of Macomb,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gorman,	Mr. Montgomery,
Adams,	Green,	Moshier,
Adsit,	Greusel,	Norris,
Andrews,	Hart,	J. M. Osborn,
Atwood,	H. Haynes,	Pearl,
Brockway,	J. Haynes,	Pattengell,
Chamberlain,	Haywood,	Phillips,
Clement,	S. W. Hill,	Pierson,
Climie,	Holland,	Post,
Congdon,	Holt,	Priest,
Copley,	Huff,	Rood,
Dalton,	Kellogg,	Runyan,
Doty,	Knapp,	Swineford,
Fenton,	Lamb,	Thayer,
Ferris,	Little,	Tobey,

Mr. Garfield, Garrison, Gibson, C. B. Grant. R. J. Grant,	Mr. McGonegal, N. L. Miller, Millington, Minne, P. Mitchell,	Mr. Van Scoy, Walton, Watkins, Wells, Speaker,	60
-----------------------------------------------------------------------	--------------------------------------------------------------------------	------------------------------------------------------------	----

NAYS.

Mr. Coulter, Riford,	Mr. Walker, Webster,	Mr. White,	5
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The question being on agreeing to the title,

On motion of Mr. N. L. Miller,

The title was amended so as to read as follows:

"A bill to authorize the board of school inspectors of the townships of Lenox and Chesterfield, in the county of Macomb, to attach certain territory to fractional school district No. 7, of said townships."

The title, as amended, was then agreed to.

On motion of Mr. N. L. Miller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 345, entitled

A bill to change the name of Seth Dimick Adams to Seth Dimick Gage, and to constitute him heir-at-law of Franklin Gage and Mary C. Gage,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Montgomery moved to amend the bill by adding thereto the following: "*Provided*, That Franklin Gage and Mary C. Gage shall file, within three months after the passage of this act, in the office of the judge of probate for St. Joseph county, an instrument in writing, duly signed by them, and properly acknowledged before some officer competent to take acknowledgments, to be their free act and deed, accepting the rights conferred by the provisions of this act ;"

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Gorman,	Mr. Moshier,
Adams,	Green,	Norris,
Adsit,	Greusel,	J. M. Osborn,
Andrews,	Grosvenor,	Pearl,
Atwood,	Haack,	Phillips,
Brockway,	Haywood,	Pierson,
Cameron,	N. R. Hill,	Post,
Childs,	S. W. Hill,	Priest,
Climie,	Holland,	Riford,
Cochrane,	Huff,	Roof,
Congdon,	Hurlbut,	Runyan,
Copley,	Knapp,	Swineford,
Coulter,	Lamb,	Thayer,
Crane,	Little,	Tobey,
Doty,	McGonegal,	Walker,
Edwards,	E. R. Miller,	Walton,
Ferris,	Millington,	Webster,
Garfield,	Minne,	Wells,
Gibson,	P. Mitchell,	Speaker,
R. J. Grant,	Montgomery,	59

NAYS.

Mr. Gillam,	Mr. J. Haynes,	Mr. Pattengell,	3
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Title agreed to.

On motion of Mr. Climie,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 349, entitled

A bill to provide for the incorporation of St. George's societies,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Greusel,	Mr. Montgomery,
Adams,	Grosvenor,	Moshier,
Adsit,	Haack,	Norris,
Andrews,	Hart,	C. Y. Osburn,
Atwood,	H. Haynes,	J. M. Osborn,
Barnaby,	J. Haynes,	Pattengell,
Brockway,	Haywood,	Pearl,
Cameron,	N. R. Hill,	Phillips,
Childs,	S. W. Hill,	Pierson,

Mr. Clement,	Mr. Holland,	Mr. Post,	
Climie,	Holt,	Priest,	
Cochrane,	Hoyt,	Riford,	
Congdon,	Huff,	Roof,	
Copley,	Hurlbut,	Ross,	
Coulter,	Kellogg,	Runyan,	
Crane,	Knapp,	Swineford,	
Doty,	Lamb,	Thayer,	
Edwards,	Little,	Tobey,	
Ferris,	McGonegal,	Van Scoy,	
Gibson,	E. R. Miller,	Walker,	
Gillam,	N. L. Miller,	Webster,	
R. J. Grant,	Millington,	Wells,	
Gorman,	Minne,	White,	
Green,	P. Mitchell,	Speaker,	72
	NAYS.		0

Title agreed to.

On motion of Mr. Gibson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 20, entitled

A bill to confirm the record of letters of attorney in certain cases,

Being under consideration,

On motion of Mr. Little,

The bill was recommitted to the committee on judiciary.

House bill No. 346, entitled

A bill relative to certain cemetery property within the city of Saginaw, in Saginaw county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Green,	Mr. Norris,
Adams,	Greusel,	J. M. Osborn,
Adsit,	Grosvenor,	Pearl,
Andrews,	Haack,	Pattengell,
Atwood,	Hart,	Phillips,
Barnaby,	H. Haynes,	Pierson,
Cameron,	J. Haynes,	Priest,
Childs,	Haywood,	Rood,
Clement,	N. R. Hill,	Roof,

Mr. Climie,	Mr. S. W. Hill,	Mr. Ross,
Cochrane,	Holland,	Runyan,
Congdon,	Huff,	Sumner,
Copley,	Hurlbut,	Swineford,
Coulter,	Kellogg,	Thayer,
Crane,	Knapp,	Tobey,
Dalton,	Lamb,	Van Scoy,
Doty,	Little,	Walker,
Edwards,	McGonegal,	Walton,
Ferris,	E. R. Miller,	Watkins,
Garfield,	N. L. Miller,	Wells,
Gibson,	P. Mitchell,	White,
Gillam,	Montgomery,	Williams,
R. J. Grant,	Moshier,	Speaker,
Gorman,		

70

NAYS.

0

The question being on agreeing to the title,

On motion of Mr. J. Haynes,

The title was amended so as to read as follows:

“A bill to confirm the title of certain cemetery property within the city of Saginaw, in Saginaw county, and authorizing the common council of said city to sell the same.”

The title, as amended, was then agreed to.

On motion of Mr. Little,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 62, entitled

A bill to provide for the deposit and safe keeping of the public moneys belonging to the county of Wayne, and to prescribe the duties of the treasurer and board of auditors of said county in relation thereto,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Greusel moved to amend the bill by striking out all of section 6, after the word “dollars,” in line 8;

Which motion did not prevail.

Mr. Riford moved to lay the bill on the table;

Which motion did not prevail.

Mr. McGonegal moved that the House adjourn ;
Which motion did not prevail.

Mr. Cameron moved to reconsider the vote by which the House refused to lay the bill on the table ;
Which motion prevailed.

The motion to lay the bill on the table then prevailed.

Mr. Millington, unanimous consent being given, offered the following :

Resolved (the Senate concurring), That when this House adjourn on the 31st instant, that said adjournment be until the 5th day of April.

Mr. Huston moved to suspend the rules, and that the resolution be put on its immediate passage.

Mr. Gillam demanded the yeas and nays.

The demand was seconded, and the motion to suspend the rules prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Gray,	Mr. Montgomery,
Adsit,	Green,	Moshier,
Andrews,	Greusel,	Norris,
Atwood,	Grosvenor,	C. Y. Osburn,
Bates,	Haack,	J. M. Osborn,
Brown,	Hart,	Pattengell,
Cameron,	H. Haynes,	Pearl,
Chamberlain,	J. Haynes,	Phillips,
Childs,	Haywood,	Pierson,
Olimie,	N. R. Hill,	Post,
Cochrane,	Houseman,	Priest,
Congdon,	Hoyt,	Riford,
Copley,	Huff,	Rood,
Coulter,	Hughes,	Roof,
Crane,	Hurlbut,	Ross,
Crofoot,	Huston,	Swineford,
Dalton,	Knapp,	Thayer,
Doty,	Lamb,	Tobey,
Edwards,	Little,	Van Scoy,
Ferris,	McGonegal,	Walker,
Garfield,	E. R. Miller,	Walton,
Garrison,	N. L. Miller,	Watkins,
Gibson,	R. C. Miller,	Webster,

Mr. C. B. Grant,	Mr. Millington,	Mr. Wells,	
R. J. Grant,	P. Mitchell,	White,	
Gorman,			76

NAYS.

Mr. Adam.	Mr. Clement,	Mr. Williams,	
Barnaby,	Gillam,	Speaker,	
Brockway,	Sumner,		8

Mr. Adam moved to amend the resolution by striking out the word "fifth," and inserting the word "fourth" in lieu thereof;

Which motion did not prevail.

Mr. Coulter demanded the yeas and nays on the adoption of the resolution.

The demand was seconded.

Mr. Copley moved to amend the resolution by striking out the words "fifth day of April," and inserting the words "fourth day of April, at 9 o'clock A. M." in lieu thereof;

Which motion did not prevail.

The resolution was then adopted, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Gorman,	Mr. Norris,	
Adsit,	Greusel,	C. Y. Osborn,	
Andrews,	Grosvenor,	J. M. Osburn,	
Atwood,	Haack,	Pearl,	
Bates,	Hart,	Pattengell,	
Brown,	J. Haynes,	Phillips,	
Chamberlain,	Haywood,	Post,	
Childs,	Houseman,	Riford,	
Clement,	Hoyt,	Roof,	
Climie,	Huff,	Ross,	
Cochrane,	Hughes,	Sumner,	
Congdon,	Huston,	Swineford,	
Crane,	Knapp,	Thayer,	
Dalton,	Little,	Tobey,	
Doty,	McGonegal,	Van Scoy	
Edwards,	R. C. Miller,	Walker,	
Ferris,	Millington,	Walton,	
Gibson,	Minne,	Watkins,	
C. B. Grant,	P. Mitchell,	Wells,	
R. J. Grant,	W.H.C. Mitchell,		59

NAYS.

Mr. Adam,	Mr. Gray,	Mr. Montgomery,
Barnaby,	Green,	Moshier,
Brockway,	H. Haynes,	Pierson,
Cameron,	N. R. Hill,	Priest,
Copley,	S. W. Hill,	Rood,
Coulter,	Holt,	Webster,
Garfield,	Lamb,	White,
Garrison,	E. R. Miller,	Williams,
Gillam,	N. L. Miller,	Speaker, 27

The committee on engrossment and enrollment submitted the following report:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following entitled bill:

House bill No. 8, entitled

A bill to amend sections 5 and 9, of an act entitled "An act to provide for the appointment of a stenographer for the circuit court for the county of Wayne, and other counties of this State, and to limit the operation of sections 1 and 4, of an act to declare and establish the practice in charging or instructing jurors, and in settling the law in cases tried in circuit courts, approved March 30th, 1860," approved April 2d, 1869.

J. F. COULTEB, *Acting Chairman.*

Report accepted.

Mr. Hughes moved to reconsider the vote by which the House refused to pass Senate bill No. 106, entitled

A bill to prevent the destruction of mink and muskrats, and muskrat houses, within the limits of this State;

Which motion prevailed.

On motion of Mr. Huston,

The bill was laid on the table.

Mr. Cameron moved to reconsider the vote by which the House passed House manuscript bill, entitled

A bill to repeal act number 76, of the laws of 1867, approved March 21, 1867, entitled "An act to provide for the

appointment of a commissioner, to be known as the Swamp Land State Road Commissioner,"

Which motion did not prevail.

Mr. J. Haynes asked and obtained leave of absence for himself indefinitely.

Mr. Brockway asked and obtained leave of absence for Mr. Hazen indefinitely.

On motion of Mr. Cameron,
The House adjourned.

Lansing, Thursday, March 30, 1871.

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Little asked and obtained leave of absence for himself for the day, on account of sickness.

PRESENTATION OF PETITIONS.

By Mr. Riford: Remonstrance of J. P. Thrasher, Sterne Bronson, and 200 others, citizens of Berrien county, against the repeal of the law protecting orchards, against laying high-ways through the same;

Referred to the committee on roads and bridges.

By Mr. McGonegal: Petition of C. M. Garrison, President of the Board of Trade, Ed. Orr, J. J. Bagley, J. L. King, and 46 others, citizens of Detroit, in favor of the passage of Senate bill No. 177, known as the "drayman's bill;"

Referred to the committee on banks and incorporations.

By Mr. Haywood: Petition of L. N. Brown, Chas. E. Thomson, and 24 others, citizens of Huron county, asking that the present prohibitory law of this State be amended so that the penalties be largely increased, and made to apply to the first

offense, and compel the attendance of witnesses; and that there be added to the law a provision for payment by the seller or lessee, of damage arising from the conduct of any and all persons who obtain liquor from them or from their premises;

By Mr. J. Haynes: Petition of J. W. Chrilson, J. T. Whitteus, and 61 others, citizens of Iosco county, for the same purpose;

Referred to the committee on State affairs.

By Mr. Haywood: Remonstrance of L. N. Brown, H. McIntosh, and 24 others, citizens of Huron county, against the repeal of the whole or any part of the prohibitory liquor law;

By Mr. J. Haynes: Remonstrance of Geo. W. Oakes and 65 others, citizens of Iosco county, for the same purpose;

Referred to the committee on State affairs.

By Mr. J. Haynes: Petition of Ira B. Cronkwright and 19 others, citizens of Midland county, asking that railroad lands be taxed in the same manner as lands of individuals;

Referred to the committee on internal improvements.

By Mr. J. Haynes: Remonstrance of E. C. Diffin and 29 others, citizens of Gladwin township, Gladwin county, against the repeal of the act organizing the township of Grout, in said county;

Referred to the committee on towns and counties.

REPORTS OF STANDING COMMITTEES.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to amend section 18, of act No. 76, of the session laws of 1861, the same being section 3941 of the compiled laws, as amended by said act 76, in relation to costs in criminal cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute

do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Chamberlain,

The House concurred in the adoption of the substitute reported by the committee.

On motion Mr. Huston,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gorman,	Mr. Moshier,
Adair,	Gray,	Norris,
Andrews,	Green,	C. Y. Osburn,
Atwood,	Grosvenor,	J. M. Osborn,
Barnaby,	Haack,	Pattengell,
Bates,	H. Haynes,	Phillips,
Brown,	J. Haynes,	Pierson,
Cameron,	Haywood,	Post,
Chamberlain,	N. R. Hill,	Priest,
Cherry,	S. W. Hill,	Riford,
Childs,	Holland,	Rood,
Climie,	Holt,	Roof,
Congdon,	Houseman,	Ross,
Coulter,	Huff,	Smith,
Crofoot,	Hurlbut,	Sumner,
Dalton,	Huston,	Thayer,
Doty,	Kellogg,	Tobey,
Fenton,	Knapp,	Walton,
Ferris,	E. R. Miller,	Watkins,
Ferry,	N. L. Miller,	Webster,
Garfield,	R. C. Miller,	Wells,
Gillam,	Minne,	Williams,
C. B. Grant,	P. Mitchell,	Speaker,
R. J. Grant,	W. H. C. Mitchell,	

71

NAYS.

Mr. Greusel,

1

The question being on agreeing to the title,

On motion of Mr. Huston,

The title was amended so as to read as follows :

“A bill to amend section 64, in chapter 102, of the revised statutes of 1846, being section 3103, in chapter 102, of the compiled laws, relative to the sale of lands of minors and other persons under guardianship, and investing the proceeds for their use.”

The title, as amended, was then agreed to.

On motion of Mr. Huston,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to aid in the completion of the Newaygo and Dayton State road, and making an appropriation therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rood,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. C. B. Grant,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Adsit,

Mr. Garfield,
Garrison,
Gibson,

Mr. Millington,
Minne,
P. Mitchell,

Mr. Andrews,	Mr. C. B. Grant,	Mr. W.H.C.Mitchell,
Atwood,	R. J. Grant,	Montgomery,
Bates,	Gorman,	Norris,
Brown,	Gray,	O. Y. Osburn,
Cameron,	Green,	Pattengell,
Chamberlain,	Greusel,	Phillips,
Cherry,	Haack,	Pierson,
Childs,	Hart,	Post,
Clement,	H. Haynes,	Priest,
Climie,	J. Haynes,	Riford,
Cochrane,	Haywood,	Rood,
Congdon,	N. R. Hill,	Ross,
Copley,	S. W. Hill,	Smith,
Coulter,	Huff,	Sumner,
Crane,	Hughes,	Swineford,
Crofoot,	Huston,	Thayer,
Dalton,	Kellogg,	Tobey,
Doty,	Knapp,	Van Scoy,
Edwards,	McGonegal,	Walton,
Fenton,	E. R. Miller,	Watkins,
Ferris,	R. C. Miller,	Wells,
Ferry,		

73

NAYS.

0

The question being on agreeing to the title,

On motion of Mr. Huston,

The title was amended so as to read as follows:

"A bill to authorize the Quartermaster General to collect evidence of certain claims of pay of soldiers, enlisted during the years 1861 and 1862, and to present the same to the United States;"

The title, as amended, was then agreed to.

On motion of Mr. Edwards,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to change the name of Franklin Dwight Smith to Franklin Dwight Martin, and to constitute him heir-at-law of John Clarke Martin and Maria Louisa Martin, of Ingham county, Mich.,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. CAMERON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Atwood,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. C. B. Grant,	Mr. Minne,
Adsit,	R. J. Grant,	P. Mitchell,
Andrews,	Gorman,	W. H. C. Mitchell,
Atwood,	Gray,	Montgomery,
Barnaby,	Green,	Norris,
Bates,	Greusel,	Phillips,
Brown,	Haack,	Pierson,
Chamberlain,	Hart,	Post,
Cherry,	H. Haynes,	Priest,
Childs,	J. Haynes,	Riford,
Clement,	Haywood,	Rood,
Climie,	N. R. Hill,	Ross,
Cochrane,	S. W. Hill,	Smith,
Congdon,	Ho t,	Sumner,
Copley,	Houseman,	Swineford,
Coulter,	Huff,	Thayer,
Crane,	Hughes,	Tobey,
Crofoot,	Hurlbut,	Van Scoy,
Dalton,	Kellogg,	Walker,
Doty,	Knapp,	Walton,
Fenton,	McGonegal,	Watkins,
Ferris,	N. L. Miller,	Wells,
Ferry,	R. C. Miller,	Williams,
Garrison,	Milington,	Speaker,
Gibson,		

73

NAYS.

Mr. Gillam,

Title agreed to.

1

On motion of Mr. Atwood,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Adams, unanimous consent being given, moved to take from the table the enacting clause of House bill No. 263, entitled

A bill to provide for punishing any officer for receiving more than legal fees or compensation ;

Which motion prevailed.

On motion of Mr. Adams,

The bill was referred to the committee on banks and incorporations.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was recommended Senate bill No. 76, entitled

A bill relative to laying out temporary highways,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JOHN WALKER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Holt,

The House concurred in the amendments made to the bill by the committee.

The question being on the passage of the bill,

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Adsit,
Andrews,
Atwood,
Bates,

Mr. Haack,
H. Haynes,
J. Haynes,
S. W. Hill,
Holland.
Holt,

Mr. Montgomery,
Moshier,
Norris,
J. M. Osborn,
Pearl,
Pierson,

Mr. Brown,	Mr. Houseman,	Mr. Post,
Cameron,	Hoyt,	Priest,
Cherry,	Huff,	Riford,
Childs,	Hughes,	Rood,
Clement,	Hurlbut,	Ross,
Climie,	Kellogg,	Runyan,
Cochrane,	Knapp,	Smith,
Congdon,	Lamb,	Swineford,
Crane,	Little,	Tobey,
Doty,	McGonegal,	Van Scoy,
Fenton,	E. R. Miller,	Walker,
Ferris,	N. L. Miller,	Walton,
Ferry,	R. O. Miller,	Watkins,
Garrison,	Millington,	Wells,
Gillam,	Minne,	Williams,
C. B. Grant,	P. Mitchell,	Speaker,
Gorman,	W.H.C. Mitchell,	

68

NAYS.

Mr. Garfield,	Mr. Pattengell,	Mr. Sumner,
Greusel,		

4

Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on banks and incorporations :

The committee on banks and incorporations, to whom was referred the enacting clause of House bill No. 263, entitled

A bill to provide for punishing any officer for receiving more than legal fees,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

M. V. MONTGOMERY, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. J. M. Osborn,

The House concurred in the adoption of the substitute reported by the committee.

The question being on the passage of the bill,

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. Moshier,
Adams,	Green,	Norris,
Adsit,	Grosvenor,	J. M. Osborn,
Andrews,	Haack,	Pearl,
Atwood,	Hart,	Pattengell,
Bates,	H. Haynes,	Phillips,
Brown,	J. Haynes,	Pierson,
Cameron,	S. W. Hill,	Priest,
Chamberlain,	Holland,	Riford,
Cherry,	Houseman,	Rood,
Clement,	Huff,	Roof,
Climie,	Hughes,	Ross,
Copley,	Huston,	Runyan,
Crane,	Knapp,	Swineford,
Doty,	McGonegal,	Tobey,
Edwards,	E. R. Miller,	Walton,
Fenton,	R. C. Miller,	Watkins,
Garrison,	Millington,	Webster,
Gibson,	P. Mitchell,	Wells,
Gillam,	W.H.C. Mitchell,	Williams,
C. B. Grant,	Montgomery,	62

NAYS.

Mr. Childs,	Mr. Gorman,	Mr. Smith,
Congdon,	Greusel,	Sumner,
Coulter,	N. R. Hill,	Thayer,
Ferris,	Hoyt,	Van Scoy,
Ferry,	Kellogg,	Walker,
Garfield,	Minne,	Speaker, 18

The question being on agreeing to the title,

On motion of Mr. Adams,

The title was amended so as to read as follows :

"A bill to provide for the election of aldermen in the fourth ward of the city of Flint at the annual election for 1871, and to authorize the common council of said city to assess, levy, and collect a highway tax in said fourth ward for 1871."

The title, as amended, was then agreed to.

On motion of Mr. Adams,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on education :

The committee on education, to whom was referred House bill No. 124, entitled

A bill to organize union school district of the township of Ossineke, in the county of Alpena,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. J. Haynes,

The House concurred in the amendment made to the bill by the committee.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Huston moved to amend the bill by inserting in the second line of section 1, after the word "Alpena," the words "and not in the county of Montmorency ;"

Which motion did not prevail.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,
Bates,
Crofoot,
Edwards,
C. B. Grant,
Haack,
J. Haynes,

Mr. S. W. Hill,
Holland,
Hoyt,
Hughes,
McGonegal,
Montgomery,

Mr. C. Y. Osburn,
Phillips,
Roof,
Runyan,
Swineford,
Wells,

19

NAYS.

Mr. Adsit,
Andrews,
Atwood,

Mr. Ferry,
Garfield,
Garrison,

Mr. P. Mitchell,
W.H.C. Mitchell,
Norris,

Mr. Barnaby,	Mr. Gillam,	Mr. J. M. Osborn,
Brown,	R. J. Grant,	Pattengell,
Chamberlain,	Gorman,	Pierson,
Cherry,	Gray,	Post,
Childs,	Green,	Priest,
Clement,	Greusel,	Riford,
Climie,	H. Haynes,	Rood,
Cochrane,	N. R. Hill,	Smith,
Congdon,	Huston,	Thayer,
Copley,	Kellogg,	Tobey,
Coulter	Knapp,	Van Scoy,
Crane,	Lamb,	Walker,
Dalton,	E. R. Miller,	Walton,
Doty,	R. C. Miller,	Watkins,
Fenton,	Millington,	Williams,
Ferris,	Minne,	Speaker, 57

By the committee on fisheries:

The committee on fisheries, to whom was recommitted House bill No. 291, entitled

A bill to improve and protect the fisheries, and to appoint commissioners of the same for the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. B. FENTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Knapp,

The House concurred in the amendments made to the bill by the committee.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Thayer moved to amend the bill by striking out, in line 2, section 8, the words "lake Erie," and inserting the word "lakes" in lieu thereof;

Which motion did not prevail.

Mr. Huston moved to amend the bill by striking out, in line

2, section 10, the words "less than one hundred dollars, nor;"
Which motion prevailed.

Mr. Swineford moved to amend the bill by striking out, in line 2, section 3, the words "Legislature biennially," and inserting the words "Governor annually" in lieu thereof;

Which motion prevailed.

Mr. Andrews moved to amend the bill by striking out, in line 3, section 3, the words "five thousand dollars."

Mr. Huston moved to amend the amendment by adding thereto the words "and inserting the words one thousand dollars" in lieu thereof.

Mr. Grosvenor moved to amend the amendment offered by Mr. Huston, by striking out the words "one thousand dollars," and inserting the words "three thousand dollars" in lieu thereof;

Which motion did not prevail.

The amendment offered by Mr. Huston was not agreed to.

The amendment offered by Mr. Andrews did not prevail.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:-

YEAS.

Mr. Atwood,	Mr. C. B. Grant,	Mr. P. Mitchell,
Barnaby,	Greusel,	W.H.C. Mitchell,
Bates,	Grosvenor,	Montgomery,
Brockway,	Haack,	C. Y. Osburn,
Chamberlain,	Hart,	Pearl,
Childs,	J. Haynes,	Pattengell,
Climie,	Haywood,	Pierson,
Cochrane,	S. W. Hill,	Riford,
Copley,	Holland,	Roof,
Dalton,	Hoyt,	Ross,
Edwards,	Hughes,	Runyan,
Fenton,	Hurlbut,	Swineford,
Ferris,	Little,	Tobey,
Ferry,	McGonegal,	Walker,
Garfield,	E. R. Miller,	Webster,
Garrison,	Millington,	Wells,
Gibson,	Minne,	

NAYS.

Mr. Adam,	Mr. R. J. Grant,	Mr. Moshier,
Adams,	Gorman,	Norris,
Adsit,	Gray,	J. M. Osborn,
Andrews,	Green,	Phillips,
Brown,	H. Haynes,	Post,
Cameron.	N. R. Hill,	Priest,
Cherry,	Houseman,	Rood,
Clement,	Huff,	Thayer,
Congdon,	Huston,	Van Scoy,
Coulter,	Kellogg,	Walton,
Crane,	Knapp,	Watkins,
Crofoot,	N. L. Miller,	Williams,
Doty,	R. C. Miller,	Speaker,
Gillam,		

40

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend section 15, of act No. 370, of the session laws of 1869, entitled "An act to incorporate the village of Leslie,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

M. V. MONTGOMERY, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Adams,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 190, being

A bill to enlarge the corporate limits of the village of Buchanan;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. M. OSBORN, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred Senate bill No. 217, entitled

A bill to attach certain territory, to wit: Big Summer Island, St. Martin's Island, Gull Island, and Poverty Island, to Delta county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

N. L. MILLER, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on manufactures.

The committee on manufactures to whom was referred

A bill to exempt certain manufacturing capital from taxation, for a term of years,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

R. J. GRANT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Cherry,

The bill was laid on the table.

By the committee on engrossment and enrollment :

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills :

1. House bill No. 156, entitled

A bill to amend chapter 95, of the compiled laws, by extending to executors and administrators power over land contracts in certain cases, by adding a new section thereto, to stand as section No. 19 of said chapter ;

2. House bill No. 215, entitled

A bill to change the name of William Zahn to William Sawn ;

3. House bill No. 220, entitled

A bill to change the name of Barbara Walker to Ada Putney ;

4. House bill No. 245, entitled

A bill to amend sections 40 and 60, of an act entitled " An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869 ;

5. House bill No. 251, entitled

A bill appropriating certain non-resident highway taxes to aid in the construction of the Cass river and Bay City State road ;

6. House bill No. 252, entitled

A bill to prevent the adulteration of milk, and to prevent the traffic in impure and unwholesome milk ;

7. House bill No. 284, entitled

A bill to legalize the tax rolls of the township of East Bay, in the county of Grand Traverse, for the years 1868, 1869, and 1870.

JNO. F. COULTER, *Acting Chairman.*

Report accepted.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, March 29, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 169, entitled

A bill to authorize the village of Caro to raise money to aid in the construction of a court house for the county of Tuscola;

In the passage of which the Senate has not concurred.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

On motion of Mr. Adam,

The bill was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 29, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 120, entitled

A bill appropriating certain non-resident highway taxes for the improvement of the Port Sanilac and Tuscola State road,

And to inform the House that the Senate has amended the same by inserting after the word "road," in line 4, of section 1, the words "except sections 4, 5, 6, 7, 8, 17, and 18, in town 11 north, of range 11 east, and sections 1, 2 and 13, in town 11 north, of range 13 east;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Huston moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. Montgomery,
Adams,	Gorman.	Moshier,
Adsit,	Green,	Norris,
Andrews,	Greusel,	C. Y. Osburn,
Atwood,	Grosvenor,	Pearl,
Bates,	Haack,	Phillips,
Brown,	Hart,	Pierson,
Chamberlain,	H. Haynes,	Priest,
Cherry,	J. Haynes,	Rood,
Childs,	N. R. Hill,	Ross,
Clement,	Holland,	Runyan,
Cochrane,	Houseman,	Smith,
Gongdon,	Huff,	Thayer,
Copley,	Hughes,	Tobey,
Coulter,	Hurlbut,	Van Scoy,
Crane,	Kellogg,	Walker,
Crofoot,	Knapp,	Walton,
Edwards,	McGonegal,	Watkins,
Fenton,	N. L. Miller,	Webster,
Ferris,	Millington,	Wells,
Ferry,	Minne,	Williams,
Garrison,	P. Mitchell,	Speaker,
Gillam,		

67

NAYS.

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The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, March 29, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill :

House bill No. 264, entitled

A bill to authorize the supervisor of the township of Alabaster, in the county of Iosco, to make out a new tax-roll for said township for the year 1870, and to extend the time for the collection of taxes therein and return thereof,

And to inform the House that the Senate has amended the same by adding the following, to stand as section 6 :

"SEC. 6. It shall be the duty of the treasurer of said township, before he shall be entitled to the benefits of this act, to renew his official bond to the satisfaction of the treasurer of said county of Iosco ;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. J. Haynes moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Green,	Mr. Montgomery,
Adsit,	Greusel,	Moshier,
Bates,	Grosvenor,	Norris,
Cameron,	Haack,	C. Y. Osburn,
Chamberlain,	Hart,	Pearl,
Childs,	H. Haynes	Pattengell,
Clement,	J. Haynes,	Phillips,
Climie,	N. R. Hill,	Pierson,
Cochrane,	Houseman,	Post,
Congdon,	Hoyt,	Priest,
Copley,	Huff,	Rood,
Crane,	Hughes,	Ross,
Crofoot,	Hurlbut,	Runyan,
Doty,	Huston,	Thayer,
Edwards,	Kellogg,	Tobey,
Fenton,	Knapp,	Van Scoy,
Ferris,	McGonegal,	Walker,
Garrison,	N. L. Miller,	Walton,
Gillam,	Millington,	Watkins,
R. J. Grant,	Minne,	Williams,
Gorman,	P. Mitchell,	Speaker,

63

NAYS.

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The bill was then referred to the committee on engrossment and enrollment, for enrollment.



The Speaker also announced the following:

SENATE CHAMBER,
Lansing, March 29, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 298, entitled

A bill to provide for the publication of the laws of 1871,

And to inform the House that the Senate has amended the same by striking out in line 7, of section 2, the word "over-seer," and inserting in place thereof the word "commissioner,"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Montgomery moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. C. Y. Osburn,
Adsit,	Gorman,	J. M. Osborn,
Andrews,	Grosvenor,	Pearl,
Cameron,	Haack,	Pattengell,
Chamberlain,	Hart,	Phillips,
Cherry,	N. R. Hill,	Pierson,
Childs,	Hoyt,	Post,
Clement,	Huff,	Priest,
Climie,	Hughes,	Rood.
Cochrane,	Kellogg,	Ross,
Congdon,	Knapp,	Runyan,
Copley,	McGonegal.	Thayer,
Crane,	N. L. Miller,	Tobey,
Crofoot,	R. C. Miller,	Van Scoy,
Doty,	Millington,	Walker,
Edwards,	Minne,	Walton,
Ferrie,	P. Mitchell,	Webster,

Mr. Ferry,
Garrison,
Gibson,
Gillam,

Mr. Montgomery,
Moshier,
Norris,

Mr. Wells,
Williams,
Speaker,

61

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, March 30, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following concurrent resolution :

Resolved (the Senate concurring), That when this House adjourn on the 31st instant, that said adjournment be until the 5th day of April,

And to inform the House that the Senate has amended the same by striking out the word "House," and inserting in place thereof the word "Legislature;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,
Secretary of the Senate.

On motion of Mr. Post,

The House concurred in the amendment made to the resolution by the Senate.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, March 29, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bills:

1. House bill No. 163, entitled

A bill to amend section 1, of act 75, of the session laws of 1867, being an act entitled "An act to exempt soldiers, sailors,

and marines from the payment of a capitation or poll-tax," approved March 21, 1867;

2. House bill No. 270, entitled

A bill to amend section 19, of chapter 163, of the revised statutes of 1846, being section 5995, in chapter 194, of the compiled laws, relative to the arrest and examination of offenders committed for trial and taking bail;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, March 29, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bills :

1. House bill No. 204, entitled

A bill to establish the weight of lime ;

2. House bill No. 219, entitled

A bill to provide for laying out and establishing a State road in the counties of Ontonagon and Houghton ;

3. House bill No. 301, entitled

A bill to amend sections 10 and 12, of an act entitled "An act in relation to life insurance companies transacting business within this State," approved March 30, 1869, and to add three new sections thereto, to stand as sections 27, 28, and 29 ;

4. House bill No. 347, entitled

A bill to legalize bounties to certain volunteers credited to Ovid, Clinton county, and to provide for the payment of the same ;

5. House manuscript bill, entitled

A bill to amend section 1, of act No. 267, of session laws of

1869, being an act entitled "An act to amend act No. 397, of the session laws of 1867, entitled 'An act to amend act No. 301, of the session laws of 1865,' being an act entitled 'An act to regulate the tolls on plank roads in Bay, Gratiot, and Saginaw counties;'"

6. House manuscript bill, entitled

A bill to provide for the construction of a State road in the counties of Midland, Isabella, and Clare, and appropriating certain non-resident highway taxes for the construction thereof;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 29, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 43, entitled

A bill to authorize the election of a township drain commissioner in each organized town, and to authorize them to locate, establish, and construct ditches, drains, and water-courses in their respective towns, and to repeal all other drainage laws in relation thereto,

And to inform the House that the Senate has amended the same as follows:

1. By adding to section 1 the following: *Provided, That in townships where no drain commissioners shall be elected in 1871, it shall be lawful for the township board of such town*

to appoint a drain commissioner for that year, with the same force and effect as if duly elected, and he shall be qualified and sworn, as if elected, and shall hold his office until his succession is duly elected and qualified under this act, and with the same powers, duties, and obligations;

2. By inserting in line 1, section 10, after the word "agreed," the words "to be made;"

3. By striking out in line 18, of section 18, the word "this," and inserting "the" in place thereof; also, by inserting after the word "date," in the same line, the word "thereof;"

4. By striking out all of printed section 21, and substituting the following in place thereof:

"Sec. 21. All laws contravening the provisions of this act are hereby repealed, except as to acts done and rights accrued under act No. 39, of session laws of 1869, and former township ditch laws, which rights may be perfected and closed under the provisions of this act, as if the same were not repealed;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Garrison moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Andrews,
Cameron,
Chamberlain,
Cherry,
Childs,
Clement,

Mr. Haack,
Hart,
H. Haynes,
J. Haynes,
N. R. Hill,
Holt,
Houseman,
Hoyt,

Mr. Norris,
C. Y. Osburn,
Pearl,
Pattengell,
Phillips,
Pierson,
Post,
Priest,

Mr. Climie,	Mr. Huff,	Mr. Rood,
Cochrane,	Hughes,	Ross,
Congdon,	Hurlbut,	Runyan,
Crane,	Huston,	Sumner,
Crofoot,	Kellogg,	Thayer,
Doty,	Knapp,	Tobey,
Edwards,	McGonegal,	Van Scoy,
Ferris,	E. R. Miller,	Walker,
Ferry,	N. L. Miller,	Walton,
Garrison,	R. C. Miller,	Watkins,
Gillam,	Millington,	Webster,
R. J. Grant,	Minne,	Wells,
Green,	Montgomery,	Williams,
Greusel,	Moshier,	Speaker,
Grosvenor,		

67

NAYS.

Mr. Adsit, Mr. Gorman, Mr. P. Mitchell, 3

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

Mr. Pattengell moved that the House take a recess until 2 o'clock this afternoon ;

Which motion did not prevail.

THIRD READING OF BILLS.

House joint resolution No. 22, entitled

Joint resolution authorizing the Auditor General to charge certain money or State tax now due Emmet county from the county of Charlevoix,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. Minne,
Adsit,	R. J. Grant,	P. Mitchell,
Andrews,	Gorman,	Montgomery,
Atwood,	Gray,	Moshier,
Cameron,	Green,	C. Y. Osburn,
Cherry,	Greusel,	Pearl,
Childs,	Grosvenor,	Pierson,
Clement,	Haack,	Post,
Climie,	Hart,	Priest,
Cochrane,	H. Haynes,	Riford,
Congdon,	J. Haynes,	Rood,

Mr. Copley,	Mr. N. R. Hill,	Mr. Ross,	
Crane,	S. W. Hill,	Sumner,	
Crofoot,	Houseman,	Thayer,	
Dalton,	Huff,	Tobey,	
Doty,	Hughes,	Van Scoy,	
Edwards,	Kellogg,	Walker,	
Fenton,	Knapp,	Walton,	
Ferris,	Little,	Watkins,	
Ferry,	E. R. Miller,	Wells,	
Garrison,	N. L. Miller,	Speaker,	
Gibson,	Millington,		65
	NAYS.		0

Title and preamble agreed to.

On motion of Mr. Fenton,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

Senate bill No. 169, entitled

A bill making appropriations for the support of the Michigan Institution for educating the deaf, and dumb, and the blind, for the years 1871 and 1872, and for completing and furnishing the buildings and improving the grounds of said Institution, and for purchasing tools and stock, and to pay foremen of shops of same,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Holt moved to amend the bill by striking out section 5, and adding the following to stand as sections 5 and 6, and making section 6 of the bill to stand as section 7:

"SEC. 5. The several sums mentioned in this act are hereby appropriated out of the general fund and passed to the credit of the Deaf, Dumb, and Blind Asylum, and shall be paid to the board of trustees, officer, or person or persons entitled to receive the same, at such times and in such manner and amounts only as are provided by law, and as may be made to appear to the Auditor General to be necessary for the immediate wants of the said Asylum; and in no case shall a greater sum be drawn at one time from the State Treasury than five thousand dollars."

"SEC. 6. One-half of the aggregate of the above mentioned sums the Auditor General shall add to and incorporate with the State tax for the year one thousand eight hundred and seventy-one, and the other one-half of said aggregate sums the Auditor General shall add to and incorporate with the State tax for the year one thousand eight hundred and seventy-two, which sums, when collected, shall be passed to the credit of the general fund;"

Which motion prevailed.

Mr. Millington moved to amend the bill by striking out of section 1, the words "thirty-seven thousand five hundred" wherever they occur, and inserting the words "thirty thousand" in lieu thereof;

Which motion did not prevail.

Mr. Adams moved to amend line 4, section 1, by striking out the words "said Institution," and inserting the words "the Institution for the education of the deaf, dumb, and the blind" in lieu thereof;

Which motion prevailed.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gray,	Mr. N. L. Miller,
Adams,	Green,	R. C. Miller,
Adsit,	Greusel,	Millington,
Andrews,	Grosvenor,	W.H.C. Mitchell,
Atwood,	Haack,	Montgomery,
Barnaby,	Hart,	Moshier,
Cameron,	H. Haynes,	C. Y. Osburn,
Chamberlain,	J. Haynes,	J. M. Osborn,
Cherry,	Haywood,	Pearl,
Clement,	N. R. Hill,	Pattengell,
Climie,	S. W. Hill,	Phillips,
Cochrane,	Holt,	Pierson,
Copley,	Houseman,	Post,
Crofoot,	Hoyt,	Priest,
Dalton,	Huff,	Riford,
Edwards,	Hurlbut,	Rood,
Fenton,	Huston,	Runyan,
Ferrie,	Kellogg,	Tobey,

Mr. Ferry,
Garrison,
Gibson,
Gillam,
R. J. Grant,

Mr. Lamb,
Little,
McGonegal,
E. R. Miller,

Mr. Watkins,
Webster,
Wells,
Speaker,

67

NAYS.

Mr. Childs,
Congdon
Coulter,
Crane,
Doty,
Gorman,

Mr. Hughes,
Knapp,
P. Mitchell,
Norris,
Smith,

Mr. Thayer,
Van Scoy,
Walker,
Walton,
Williams,

16

Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill
was ordered to take immediate effect.

On motion of Mr. Hoyt,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Ferris asked and obtained leave of absence for himself
until Wednesday next.

Mr. Ferry asked and obtained leave of absence for himself
until Saturday.

Mr. Bates asked and obtained leave of absence for himself
for the day.

Mr. Grosvenor asked and obtained leave of absence for Mr.
Sumner for the day.

Mr. Thayer asked and obtained leave of absence for Mr.
Haywood indefinitely, on account of sickness.

Mr. Chamberlain asked and obtained leave of absence for
himself for the day.

Mr. Rood asked and obtained leave of absence for Mr. Lamb
indefinitely, on account of sickness.

MESSAGES FROM THE SENATE.

The Speaker, by unanimous consent, announced the following:

SENATE CHAMBER,
Lansing, March 30, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 221, entitled

A bill to revise the charter of the city of Monroe;

And to inform the House that the Senate has amended the same as follows:

1. By inserting in line 3, of section 9, after the word "election," the words: "*Provided*, That for the charter election to be held on the first Monday of April, 1871, under this act three days' notice thereof, given as provided herein, shall be sufficient;"

2. By striking out, in section 11, all after the word "next," in line 3, to and including the word "year," in line 5, and inserting the following in place thereof: "in each of said wards aldermen as follows: In the first ward, one alderman for the term of two years; in the second ward, two aldermen, one for the term of one year, and one for the term of two years; in the third ward, one alderman for the term of two years; and, in the fourth ward, one alderman for the term of two years. Nothing in this act shall limit the term of office of any alderman heretofore elected at the charter election of said city, on the first Monday of April, 1870;" also, by striking out, in line 5 of said section, the words "and shall;"

3. By adding the following to section 91: "but nothing herein contained shall be so construed as to authorize the said council to grant any license authorizing or permitting the sale of intoxicating liquors;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has

ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Grosvenor moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Ferry,	Mr. R. C. Miller,
Adsit,	Garfield,	Minne,
Andrews,	Garrison,	W.H.C. Mitchell,
Barnaby,	Gillam,	Montgomery,
Brockway,	Gorman,	Moshier,
Brown,	Green,	C. Y. Osburn,
Cameron,	Greusel,	J. M. Osborn,
Cherry,	Grosvenor,	Pearl,
Childs	Haack,	Pierson,
Clement,	Hart,	Smith
Climie,	H. Haynes,	Swineford,
Cochrane.	S. W. Hill,	Tobey,
Copley,	Holland,	Van Scoy,
Coulter,	Holt,	Walker,
Crane,	Hoyt,	Walton,
Crofoot,	Huff,	Watkins,
Dalton,	Knapp,	Wells,
Doty,	Lamb,	White,
Edwards,	McGonegal,	Williams,
Fenton,	N. L. Miller,	Speaker,
Ferris,		

61

NAYS.

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The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, March 30, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bills :

1. House bill No. 338, entitled

A bill to exempt the counties of Tuscola, Hillsdale, Genesee,

Oakland, and Lapeer from the provisions of act number 43, of the session laws of 1869, being an act entitled "An act to provide for the drainage of swamps, marshes, and other low lands;"

2. House manuscript bill, entitled

A bill to provide for the election of aldermen in the fourth ward of the city of Flint at the annual election for 1871, and to authorize the common council of said city to assess, levy, and collect a highway tax in said fourth ward for 1871 ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker announced the following communication:

HALL OF REPRESENTATIVES, }
Lansing, Michigan, March 30, 1871. }

To the Speaker of the House of Representatives :

DEAR SIR—I hereby tender my resignation as a member of the committee on Asylum for Deaf, Dumb, and the Blind.

Yours respectfully,

J. A. WILLIAMS.

On motion of Mr. Swineford,

The resignation was accepted.

The Speaker also announced the following communication:

HALL OF REPRESENTATIVES, }
Lansing, Michigan, March 30, 1871. }

To the Speaker of the House of Representatives :

DEAR SIR—I hereby tender my resignation as a member of the committee on Asylum for Deaf, Dumb, and the Blind.

Yours respectfully,

JOHN WALKER.

On motion of Mr. C. Y. Osburn,
The resignation was accepted.

MOTIONS AND RESOLUTIONS.

Mr. Watkins moved to reconsider the vote by which the House refused to pass House bill No. 291, entitled

A bill to improve and protect the fisheries, and to appoint commissioners of the same for the State Michigan;

Pending which,

Mr. Riford moved that there be a call of the House;

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs. Brockway, Gibson, R. J. Grant, Gray, Hughes, Hurlbut, Kellogg, Norris, Ross, Runyan, and Thayer.

On motion of Mr. Watkins,

The Sergeant-at-Arms was dispatched after the absentees.

On motion of Mr. Pearl,

Leave of absence was granted Mr. Runyan for the day.

On motion of Mr. N. L. Miller,

Leave of absence was granted Mr. Priest for the day.

Mr. Brown moved that all further proceedings under the call be dispensed with ;

Which motion did not prevail.

The Sergeant-at-Arms announced Mr. Brockway at the bar of the House.

On motion of Mr. Riford,

Mr. Brockway was admitted within the bar, rendered an excuse, and took his seat.

Mr. Houseman moved that all further proceedings under the call be dispensed with ;

Which motion did not prevail.

The Sergeant-at-Arms announced Mr. Ross at the bar of the House.

On motion of Mr. Post,

Mr. Ross was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Thayer at the bar of the House.

On motion of Mr. Wells,

Mr. Thayer was admitted within the bar, rendered an excuse, and took his seat.

Mr. Post moved that all further proceedings under the call be dispensed with;

Which motion did not prevail.

The Sergeant-at-Arms announced Mr. R. J. Grant at the bar of the House.

On motion of Mr. C. B. Grant,

Mr. R. J. Grant was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Kellogg at the bar of the House.

On motion of Mr. Roof,

Mr. Kellogg was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Hulburt at the bar of the House.

On motion of Mr. C. B. Grant,

Mr. Hulburt was admitted within the bar, rendered an excuse, and took his seat.

On motion of Mr. Garfield,

All further proceedings under the call were dispensed with.

The motion to reconsider then prevailed.

The question being on the passage of the bill,

The bill was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows,

YEAS.

Mr. Adams,

Atwood,

Barnaby,

Brockway,

Chamberlain,

Mr. Greusel,

Grosvenor,

Haack,

Hart,

S. W. Hill,

Mr. C. Y. Osburn,

J. M. Osborn,

Pearl,

Pattengell,

Phillips,

Mr. Childs, Climie, Cochrane, Copley, Dalton, Edwards, Fenton, Ferris, Ferry, Garfield, Garrison, C. B. Grant,	Mr. Holland, Houseman, Hoyt, Hurlbut, McGonegal, E. R. Miller, Millington, Minne, P. Mitchell, W.H.C. Mitchell, Montgomery,	Mr. Pierson, Riford, Root, Ross, Smith, Swineford, Tobey, Walker, Webster, Wells, White,
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49

NAYS.

Mr. Adam, Adsit, Andrews, Brown, Cameron, Cherry, Clement, Congdon, Coulter, Crane, Crofoot, Doty,	Mr. Gillam, R. J. Grant, Gorman, Green, H. Haynes, N. R. Hill, Holt, Huff, Huston, Kellogg, Knapp,	Mr. N. L. Miller, R. C. Miller, Moshier, Post, Rood, Thayer, Van Scoy, Walton, Watkins, Williams, Speaker,
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34

Mr. Cochrane moved to take from the table Senate bill No 62, entitled

A bill to provide for the deposit and safe keeping of public moneys belonging to the county of Wayne, and to prescribe the duties of the treasurer and board of auditors of said county in relation thereto ;

Which motion prevailed.

The question being on the passage of the bill,

Mr. Pattengell moved to reconsider the vote by which the House, yesterday, refused to amend the bill by striking out all after the word "dollars," in section 6 ;

Which motion prevailed.

The question recurring on the amendment,

It was not agreed to.

Mr. Grosvenor moved to recommit the bill to the committee

on judiciary, with instructions to amend the bill by striking out all of section 6 after the word "dollars;"

Which motion did not prevail.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Brockway,	Mr. R. J. Grant,	Mr. Phillips,
Brown,	Gray,	Post,
Copley,	Green,	Riford,
Coulter,	Grosvenor,	Thayer,
Ferris,	McGonegal,	Watkins,
Ferry,	P. Mitchell,	Wells,
Garfield,	J. M. Osborn,	Williams,
Gibson,	Pattengell,	

23

NAYS.

Mr. Adam,	Mr. Gillam,	Mr. Millington,
Adsit,	C. B. Grant,	Minne,
Andrews,	Gorman,	Montgomery,
Atwood,	Greusel,	Moshier,
Barnaby,	Haack,	C. Y. Osburn,
Cameron,	Hart,	Pearl,
Cherry,	H. Haynes,	Pierson,
Childs,	N. R. Hill,	Rood,
Clement,	S. W. Hill,	Roof,
Climie,	Houseman,	Ross,
Cochrane,	Hoyt,	Smith,
Congdon,	Huff,	Swineford,
Crane,	Hughes,	Tobey,
Crofoot,	Hurlbut,	Van Scoy,
Dalton,	Huston,	Walker,
Doty,	Kellogg,	Walton,
Edwards,	Knapp,	Webster,
Fenton,	N. L. Miller,	White,
Garrison,	R. C. Miller,	Speaker,

57

Mr. Atwood moved to take from the table Senate bill No. 91, entitled

A bill to amend an act entitled "An act to authorize dissection in certain cases, for the advancement of science," approved March 27, 1867;

Which motion prevailed.

Mr. Atwood moved to recommit the bill to the committee

on education, with instructions to amend the bill by inserting the word "almshouse" before the word "prison," at the commencement of recited section 1; also, by adding the following at the end of recited section 1: "*Provided*, That in no case shall the faculty or regents be entitled to require or receive from any medical student or students, for any such body furnished them, any sum of money in excess of the actual cost of procuring the same;"

Which motion prevailed.

MESSAGES FROM THE SENATE.

The Speaker, by unanimous consent, announced the following:

SENATE CHAMBER, }
Lansing, March 30, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 266, entitled

A bill to incorporate the village of Grand Ledge,

And to inform the House that the Senate has amended the same by striking out the word "and," in line 5 of section 2, where it first occurs, and by inserting after the word "treasurer," the words "marshal and street commissioner;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Garrison moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. C. B. Grant,	Mr. W.H.C. Mitchell,
Andrews,	R. J. Grant,	Montgomery,
Atwood,	Gorman,	Moshier.
Brown,	Gray,	C. Y. Osburn,
Cameron,	Green,	Pattengell,
Cherry,	Greusel,	Pearl,
Childs,	Grosvenor,	Pierson,
Clement,	Haack,	Roof,
Cochrane,	Hart,	Ross,
Congdon,	H. Haynes,	Swineford,
Copley,	N. R. Hill,	Thayer,
Coulter,	S. W. Hill,	Tobey,
Crane,	Holland,	Van Scoy,
Crofoot,	Holt,	Walker,
Dalton,	Houseman,	Walton,
Doty,	Huff,	Watkins,
Edwards,	Hurlbut,	Webster,
Ferry,	Kellogg,	Wells,
Garfield,	R. C. Miller,	White,
Garrison,	Millington,	Williams,
Gibson,	P. Mitchell,	Speaker,
Gillam,		

64
0

NAYS.

On motion of Mr. Montgomery,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

Mr. Holland moved to take from the table House bill No. 237, entitled

A bill to provide for the improvement and completion of the Mineral Range State road extension, and the Ontonagon and State line State road ;

Which motion prevailed.

On motion of Mr. Holland,

The bill was recommitted to the committee on public lands.

GENERAL ORDER.

On motion of Mr. Pattengell,

The House went into committee of the whole on the general order,

Mr. Grosvenor in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 312, entitled

A bill to provide for the protection of fruit trees in Berrien county, Michigan ;

2. House bill No. 317, entitled

A bill to provide for laying out and establishing a State road from the New England mine to the Michigan furnace, in the county of Marquette, and making an appropriation of State swamp lands to aid in the construction thereof ;

3. Senate bill No. 118, entitled

A bill to incorporate the village of Fowlerville, in the county of Livingston, and State of Michigan, and to define the boundaries thereof ;

4. House bill No. 339, entitled

A bill to organize the township of Branch, in the county of Mason ;

5. House bill No. 341, entitled

A bill to provide for the laying out and establishing a State road from Midland City to the west line of Midland county on the south side of Pine river, and making an appropriation therefor ;

6. House bill No. 351, entitled

A bill to amend section 15, of act No. 169, of the session laws of 1869, entitled " An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon ; "

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

7. House bill No. 350, entitled

A bill for the improvement and completion of the western portion of the Capac and Clyde State road, in the county of St Clair, State of Michigan, and making an appropriation of State swamp land therefor;

8. House bill No. 343, entitled

A bill to compel children to attend school;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

Senate bill No. 60, entitled

A bill to amend section 106, act 169, laws of 1869, being an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon,

And have directed their chairman to report the same back to the House, with the recommendation that it be recommended to the committee on ways and means.

IRA R. GROSVENOR, *Chairman.*

Report accepted and committee discharged.

The first six named bills were placed on the order of third reading.

On motion of Mr. Riford,

The House concurred in the amendments made to the seventh and eighth named bills by the committee, and they were placed on the order of third reading.

On motion of Mr. Pattengell,

The House concurred in the recommendation of the committee in regard to the ninth named bill, and it was referred to the committee on ways and means.

The committee on education, by unanimous consent, submitted the following report:

The committee on education, to whom was referred, with instructions, Senate bill No. 91, entitled

A bill to amend an act entitled "An act to authorize dissection in certain cases, for the advancement of science," approved March 27, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, as instructed, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pattengell,

The House concurred in the amendments made to the bill by the committee.

The question being on the passage of the bill,

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gibson,	Mr. P. Mitchell,
Adams,	Gillam,	Montgomery,
Adsit,	C. B. Grant,	Moshier,
Andrews,	R. J. Grant,	C. Y. Osburn,
Atwood,	Gorman,	J. M. Osborn,
Bates,	Gray,	Pearl,
Brown,	Greusel,	Pattengell,
Cameron,	Grosvenor,	Post,
Climie,	Haack,	Riford,
Cochrane,	Hart,	Rood,
Congdon,	Holland,	Ross,
Copley,	Holt,	Smith,
Coulter,	Houseman,	Watkins,
Dalton,	Hoyt,	Webster,
Edwards,	Hurlbut,	Wells,
Garfield,	E. R. Miller,	Williams,
Garrison,	R. C. Miller,	Speaker,

NAYS.

Mr. Barnaby,	Mr. H. Haynes,	Mr. W.H.C. Mitchell,
Brockway,	Huff,	Pierson,
Cherry,	Huston,	Thayer,
Clement,	Knapp,	Tobey,

Mr. Crane, Ferris, Green,	Mr. N. L. Miller, Millington, Minne,	Mr. Van Scoy, Walker, Walton,	21
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Title agreed to.

Mr. Gray moved that the House adjourn.

Mr. Coulter demanded the yeas and nays.

The demand was seconded, and the motion did not prevail,
by yeas and nays, as follows :

YEAS.

Mr. Adam, Adsit, Atwood, Bates, Cameron, Climie, Cochrane, Congdon, Dalton, Ferris, Gibson, Gillam,	Mr. C. B. Grant, Gorman, Gray, Greusel, Haack, Hart, Hurlbut, McGonegal, P. Mitchell, W.H.C. Mitchell, Montgomery, Moshier,	Mr. C. Y. Osburn, J. M. Osborn, Pearl, Pierson, Post, Riford, Ross, Thayer, Tobey, Walker, Watkins,	35
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NAYS.

Mr. Adams, Andrews, Barnaby, Brockway, Brown, Cherry, Copley, Coulter, Crane, Edwards, Garfield, Garrison, R. J. Grant,	Mr. Green, Grosvenor, H. Haynes, Holland, Holt, Houseman, Hoyt, Huff, Hughes, Huston, Knapp, E. R. Miller,	Mr. N. L. Miller, R. C. Miller, Millington, Minne, Pattengell, Rood, Van Scoy, Walton, Webster, Wells, Williams, Speaker,	37
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Messrs. C. B. Grant, and Bates, desired to have their votes recorded in the affirmative on the passage of Senate bill No. 169, entitled

A bill making appropriations for the support of the Michigan Institution for educating the deaf and dumb, and the blind, for the years 1871 and 1872, and for completing and fur-

nishing the buildings, and improving the grounds of said Institution, and for purchasing tools and stock, and to pay foremen of shops of same.

Mr. Knapp moved that the House take a recess until 7:30 o'clock this evening.

Mr. Montgomery demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adam,
Adams,
Andrews,
Barnaby,
Brockway,
Cherry,
Clement
Copley,
Coulter,
Edwards,
Ferris,
Garfield,
Garrison,
R. J. Grant,

Mr. Green,
Grosvenor,
H. Haynes,
S. W. Hill,
Holland,
Holt,
Hoyt,
Hughes,
Hurlbut,
Huston,
Knapp,
McGonegal,
E. R. Miller,

Mr. N. L. Miller,
R. C. Miller,
Millington,
Minne,
Pierson,
Rood,
Thayer,
Van Scoy,
Walton,
Webster,
Wells,
Williams,
Speaker,

40

NAYS.

Mr. Adsit,
Atwood,
Bates,
Brown,
Cameron,
Climie,
Cochrane,
Congdon,
Crane,
Dalton,
Gibson,
Gillam,

Mr. C. B. Grant,
Gorman,
Gray,
Greusel,
Haack,
Hart,
Houseman,
Huff,
P. Mitchel,
W.H.C. Mitchell,
Montgomery.

Mr. Moshier,
C. Y. Osburn,
J. M. Osborn,
Pearl,
Pattengell,
Post,
Riford,
Ross,
Tobey,
Walker,
Watkins,

34

EVENING SESSION.

7:30 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Minne asked and obtained leave of absence for Mr. Ross for the evening.

Mr. Barnaby asked and obtained leave of absence for Mr. N. R. Hill for to-morrow.

Mr. C. B. Grant moved that there be a call of the House; Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs. Ferry, Kellogg, Montgomery, C. Y. Osburn, J. M. Osborn, Roof, Smith, and Thayer.

On motion of Mr. Cameron,

The Sergeant-at-Arms was despatched for the absentees.

On motion of Mr. Cameron,

Leave of absence was granted Mr. Brockway for the evening and to-morrow.

Mr. Ferris moved that all further proceedings under the call be dispensed with;

Which motion did not prevail.

Mr. Barnaby moved to reconsider the vote by which the House refused to dispense with all further proceedings under the call;

Which motion prevailed.

The motion to dispense with all further proceedings under the call then prevailed.

Mr. Swineford moved that the House adjourn.

Mr. Hoyt demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adsit,	Mr. Gibson,	Mr. Millington,
Barnaby,	C. B. Grant,	Minne,
Bates,	Gorman,	P. Mitchell,
Brown,	Gray,	W.H.O. Mitchell,
Childs,	Greusel,	Pattengell,
Climie,	Hart,	Pierson,
Cochrane,	S. W. Hill,	Post,
Congdon,	Holland,	Riford,
Crofoot,	Houseman,	Swineford,
Dalton,	Hughes,	Watkins,
Doty,	Hurlbut,	Webster,
Edwards,	McGonegal,	White,
Fenton,	R. C. Miller,	

38

NAYS.

Mr. Adam,	Mr. Garrison,	Mr. E. R. Miller,
Adams,	Gillam,	N. L. Miller,
Andrews,	R. J. Grant,	Moshier,
Atwood,	Green,	Norris,
Cameron,	Grosvenor,	Rood,
Chamberlain,	Haack,	Tobey,
Cherry,	H. Haynes,	Van Scoy,
Clement,	Holt,	Walker,
Copley,	Hoyt,	Walton,
Coulter,	Huff,	Wells,
Crane,	Huston,	Williams,
Garfield,	Knapp,	Speaker,

36

The Speaker then declared the House adjourned until 9 o'clock to-morrow morning.

Lansing, Friday, March 31, 1871.

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: quorum present.

Absent without leave: Messrs. Bates, Fenton, Hughes, C. Y. Osburn, Phillips, Roof, Runyan, Thayer, and Webster.

Mr. R. J. Grant asked and obtained leave of absence for Mr. Hughes for the day.

Mr. Adams asked and obtained leave of absence for Mr. Phillips for the day.

Mr. Minne asked and obtained leave of absence for Mr. Thayer for the day.

Mr. Andrews asked and obtained leave of absence for Mr. Webster for the day.

PRESENTATION OF PETITIONS.

By Mr. Holt: Remonstrance of D. M. Benjamin, Thomas D. Stimson, and 354 others, citizens residing in the valley of the Muskegon river, against increasing the liabilities of booming companies;

Referred to the committee on State affairs.

By Mr. Houseman: Petition of Moses V. Aldrich, Charles Shepherd, Wm. T. Powers, and 103 others, citizens of Grand Rapids, for the passage of Senate bill No. 177, prohibiting railroad companies from draying;

Referred to the committee on banks and incorporations.

By Mr. Cochrane: Memorial of the Grand Rapids and Indiana railroad company, relative to taxing of land granted to the company to aid in the completion of its road.

On motion of Mr. Cochrane,

The memorial was referred to the committee on internal improvements, and was ordered printed in the journal.

The following is the memorial.

To the Honorable the Senate and House of Representatives of the State of Michigan:

The Grand Rapids and Indiana Railroad Company begs leave, respectfully, to submit its objections to the proposed legislation to tax the lands which have been granted to the company to aid in the construction of its railroad.

The Congressional grants of land within the State of Michigan in which this company has an interest, viz., so much as apply to a line of railroad from Fort Wayne *via* Sturgis and

Grand Rapids to Traverse Bay, are contained in the acts of Congress of June 3d, 1856, and June 7th, 1864. Both grants, and especially that of June 7th, 1864, so far as they relate to that line of road, are mainly due to the efforts of the then officers and agents of this company, a fact deserving the generous consideration of the Legislature. •

The State acts of February 14th, 1857, and March 10th, 1865, conferred these grants upon this company. Upon the credit of the granted land, and the terms and conditions of the grants themselves, this company, after passing through a series of financial embarrassments, and encountering a hostility almost, if not altogether, without precedent in the history of Michigan railways, as the Legislative records of the State will show, has constructed and equipped and put in operation, as a first-class railroad, over two hundred miles of its road, from Fort Wayne in the State of Indiana, to Paris, in Mecosta county, Michigan, one hundred and forty-five of which miles are within the State of Michigan, and work is well in progress on an additional section of twenty miles north of Paris, which will be completed and put in operation during this year. The company has fully and honorably discharged the obligations imposed upon it by the act of March 17th, 1869, and may justly claim by the results of its work and expenditure, since the passage of that act, to have added millions of dollars to the actual value of property within the State of Michigan, as well as to have added largely to the population and prosperity of the State, thus rendering to the State the expected equivalent for its bounty in the land grant.

Much of the value of the road to the business interests of Michigan is in its completion as an entire line to its southern terminus at Fort Wayne, and its connection at that point with other lines of railway, east, west, and south, opening to the products of the State new and valuable markets. All of the lands subject to the grant are north of Grand Rapids, and as yet the company has earned and received in absolute title for

its two hundred miles of completed road, only about one hundred thousand acres of land, or about 500 acres to the mile of completed road. Its title to nearly nine-tenths of its grant will only be perfected when the road shall be in operation to Little Traverse Bay, a distance of 330 miles from Fort Wayne. It is apparent, therefore, that the company has as yet received, in actual possession and use, but a small consideration for the work it has done, of which the State is now reaping the benefit.

The capital which has been expended in the last two years, to an amount exceeding \$4,000,000, in the construction and equipment of the company's road, and the payment of its previous debt created in construction, has mainly been obtained from without the State, and by the negotiations of bonds secured by a mortgage in trust of the company's road and lands, embracing of course the lands yet to be earned; this mortgage providing for an issue of bonds to the amount of \$8,000,000, whereof \$5,000,000 have already been disposed of, creating at this time an annual charge of interest of nearly \$400,000, independent of the cost of operating and maintaining the road. The supposed value and security of the company's land has been the controlling inducement to the investment of capital in the road. The profit of the operation of the road itself, in view of the strong competition against it, and reaching, as much of the road yet to be made will, into a new and undeveloped country, is still an unsolved problem. Holders of the company's bonds look to the lands earned, and to be earned, as their most substantial security.

This company, therefore, respectfully submit, that while its present condition does not warrant the imposition of any heavy burden of taxation, but on the contrary calls for generous consideration, what it has already done of the work it has assumed to do entitles it to ask for a just construction of the grants by which it claims title to its lands. These grants constitute a contract between the State and the railroad company,

inviolable by either party, and it has passed substantially into the trust deed securing the company's bonds, and become a part of the security of the bondholders, and it may be justly claimed that the faith of the State is virtually pledged that no greater or other burden shall be imposed upon the lands, while owned by the railroad company, than were stipulated for in the contract embraced in the grants, and in force when the bonds were issued.

The question raised is not one as to the general power of taxation, that is admitted to be under the full control of the Legislature, except as it is limited by the federal and State constitutions, or by the contract of the State, and it is on the latter ground, fortified by considerations of public policy and expediency, that the company rests its objection to the proposed legislation.

That the State grants constitute a contract is plain from section 5 of the land grant act of February 14th, 1857, which requires the acceptance *by deed* by each railroad company of the provisions and requirements of the act. The essential idea of a contract is, that each party is mutually bound.

What is this contract ?

1. The grant *vested fully and completely* in the railroad company all the lands granted by Congress by acts of June 3d, 1856, and June 7th, 1864, to aid in the construction of a railroad from Fort Wayne, via Sturgis and Grand Rapids, to Traverse Bay.

2. By section 3, the lands granted by the State were required to be exclusively applied to the construction of that line of railroad, and to no other purpose whatsoever, and this application was secured by the provision that the railroad company should only become entitled to the possession and use of the lands as it completed its road in sections adjacent to the lands, thus forcing the company to an advance, from time to time, of the full value of the lands earned, before it could receive them in full and perfect title.

3. By section 12, the railroad company was subject to future legislation, "not inconsistent with the provisions of this act,"
* * * * * "Provided, That nothing herein contained shall be so construed as to relinquish the right of the State to any *specific tax* imposed upon any railroad company within this State."

4. By section 16, the railroad company "received said grants of lands *with the conditions imposed and the incumbrances specified in this act.*"

5. By section 20, it is declared, that "in consideration of the grants of land and other privileges hereby conferred on each of the several railroad companies mentioned and named in section two of this act, the said several railroad companies are hereby required within sixty days, from and after the first day of each and every year, to pay into the Treasury of this State, as a specific annual tax, one per cent upon the cost of the road and its equipments and appurtenances, of whatever kind; and it shall be lawful for the Legislature of this State, in their discretion, after ten years, to impose upon each or either of said railroad companies the payment of a further tax upon the gross or total earnings of such road, of not exceeding two per cent, *which said above several taxes shall be in lieu of all other taxes to be imposed within this State.*"

This legislation, thus assuming the form of a solemn contract, with the subsequent legislation of the State in regard to this company, which has not changed, as it could not change without the assent of the company, the substantial character of the original grant, has been the company's warrant and letter of credit to go into the money markets of the world and raise money as best it could upon the credit and security of the lands, and it has done so to the extent of \$5,000,000 of its bonds, and its financial wants to fulfil its obligations to the State in the completion of the road will require the negotiation of \$3,000,000 more of the bonds.

This railroad company took the lands granted "*with the*

conditions imposed and incumbrances specified." What were they, so far as related to the subject of taxation?

1. A specific annual tax of one per cent upon the cost of the road and its equipments and appurtenances of whatever kind.

2. The right of the Legislature in their discretion, after ten years, to impose upon the railroad company a further tax upon the gross or total earnings of the road, of not exceeding two per cent, *in lieu* of all other taxes to be imposed within the State.

Can the exoneration from taxation of any public security, federal or State, as an inducement to investment in it, be more clearly declared than is the exoneration of the railroad lands, so long as owned by the railroad company, from any higher taxation than what the grants themselves specify? And who can say that the essential character of this contract of the State is changed because it applies to a railroad company, or to railroad lands, any more than if it applied to bonds issued by the State itself, and sold upon the faith of their exemption from taxation?

It seems, therefore, clear that, as the subject now stands, independent of any new legislation, the railroad lands, as they are earned, and so long as held by the companies, are not subject to any specific taxation.

It is true that by the act of February 15th, 1859, the Legislature has assumed to repeal the section 20 of the act of February 14th, 1859, and has thus, in behalf of the State, released the land-grant companies from the tax of one per cent upon the cost of the roads and their equipment, and two per cent of gross earnings, substituting by the acts Nos. 157, of 1859, and 112, of 1861, the same rate of taxation, only as against the land-grant companies, as was provided for in section 45, of the general railroad law of 1855, viz: one per cent on the *capital stock paid in*, "*in lieu of all other taxes upon the property of the companies, whether real, or personal, or mixed*," thus voluntarily making a new contract with the railroad companies.

This release from the conditions imposed by the 20th section of the act of 1857, and substitution of a lesser burden being manifestly for the benefit of the land grant companies, must be deemed to have been accepted by them, whether formally accepted or not.

It is, therefore, respectfully submitted that the State cannot now either reinstate the conditions of section 20, nor tax the railroad companies beyond the limit defined in section 45, of the general railroad law of 1855.

But assuming, what is not admitted, that the Legislature can at least go to the extent of the taxation contemplated in section 20, of the act of February 14, 1857, is it just and politic to do so at this time?

The duty imposed upon the company by section 12, article 15, of the State constitution, of settling and disposing of the lands within ten years from the acquiring of a right to sell them, is a sufficient guaranty to the State that the company will sell the lands with all reasonable expedition, and to compel them by onerous taxation to immediate sales, at such prices as forced sales would bring, would be in direct conflict with the spirit and purpose of the grants. It is but common justice that the railroad company, after raising and expending the capital required to build its road, should have some opportunity to realize from the enhanced value given to the lands by the building of the road, as well as to test and develop the direct value of the operation of the road itself. To compel a sale of the lands to escape taxation, before the paying value of the road is tested, is not only to cut off from the stockholders of the company a legitimate profit, but also to impair, if not destroy, the security of the bonds based upon the lands, and to retard, if not defeat, further sales of bonds necessary to complete the road, and thus retard the completion of the road itself.

The land-grant railroad companies of Michigan have heretofore been severely embarrassed by unfriendly legislation.

Too much has been demanded and expected from them, in view of the troublous times through which they have passed in the last ten years, and it is respectfully submitted, that it is not at this time the true policy of the State to in any way cripple these companies, but rather to encourage and aid them in greater energy and progress by a generous policy. They cannot, even if they would, do the State any harm, and no popular prejudice or demand based on imperfect and unjust views of a public question like this should dictate legislation upon this or any other subject.

The power reserved to the State to tax the cost of the road one per cent, and the gross earnings two per cent, was ample for all legitimate purposes of taxation, and if exercised to the full extent of the power, would be very severe upon the companies concerned, even with completed roads and fully developed business.

The making of the lands, while owned by the railroad companies, a basis of direct revenue to the State, was a minor object compared with the general benefit to the State in the increase of its population, and the development of all its interests by the settlement of the lands. The forced sales at low prices, which would inevitably follow high taxation, would throw large bodies of the lands into the hands of private speculators, who would strip them of their valuable timber, and leave them unimproved and greatly impaired in value.

The obligation to sell within ten years, and the interest of the company to add to the earnings of the road by increasing population and giving value to the products of the lands, are a sufficient stimulus to rapid sales, and it is respectfully submitted, that gradual sales of the company's lands, through well-organized land offices of the company, where accurate information of the character and value of the lands could at all times be obtained, and the business of selling and settling the land would be conducted upon a thorough system, governed by enlightened self-interest, having in view traffic for the road,

as well as good prices for the land, would be far better for the State than to force the lands into the hands of private speculators, operating each for himself to get the largest and quickest profit for his property, without reference to its ultimate use or value. To give the highest value to all of its lands, and to create permanent business for its road, will be the object and policy of the company, which should not, and need not, conflict with the interests of the State or of the counties adjacent to the road.

It is manifest that the land-grant companies, with their roads as yet but partially completed, with their business not yet brought to a remunerative profit, their credit not yet fully established, and with the large wants for money inseparable from any railroad in construction, are not in condition to bear taxation beyond what they are now subject to. To subject the lands themselves in the hands of the company to direct taxation, would be to place them at the mercy of the local authorities, and to open the door to incalculable abuses, and to greatly impair the value of what the contract of the State and its policy should protect for the security of those who, in good faith, have advanced their money to build the land-grant roads of Michigan, upon the faith that the legislation of the State in regard to them would be both just and stable.

And your memorialists, as in duty bound, will ever pray.

JAS. K. EDGERTON,

Pres. G. R. & Ind. R. R. Co.

WM. A. HOWARD, *Land Commissioner.*

LANSING, March 30, 1871.

REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following entitled bills:

1. House manuscript bill, entitled

A bill to provide for the election of aldermen in the fourth

ward of the city of Flint, at the annual election for 1871 ; and to authorize the common council of said city to assess, levy, and collect a highway tax in said fourth ward for 1871 ;

2. House bill No. 221, entitled

A bill to revise the charter of the city of Monroe ;

3. House bill No. 270, entitled

A bill to amend section 19, of chapter 163, of the revised statutes of 1846, being section 5995, in chapter 194, of the compiled laws, relative to the arrest and examination of offenders committed for trial, and taking bail ;

4. House bill No. 120, entitled

A bill appropriating certain non-resident highway taxes for the improvement of Port Sanilac and Tuscola State road ;

5. House bill No. 219, being

A bill to provide for laying out and establishing a State road in the counties of Ontonagon and Houghton ;

6. House bill No. 348, being

A bill to incorporate the village of Williamston ;

7. House bill No. 301, entitled

A bill to amend sections 10 and 12, of an act entitled "An act in relation to life insurance companies transacting business within this State," approved March 30, 1869, and to add three new sections thereto, to stand as sections 27, 28, and 29 ;

8. House bill No. 210, entitled

A bill to subject all persons holding office under the government of the State of Michigan to removal from office for drunkenness ;

9. House bill No. 256, entitled

A bill to legalize the action of the commissioners of highways, in laying out and establishing certain drains or ditches in the township of Ash, Monroe county ;

10. House bill No. 261, entitled

A bill to lay out and establish and improve a swamp land State road from Copper Harbor, across the mineral range to the valley of the Mineral river, to the N. W. quarter section

35, town 58 N., R. 29 W., on Bete de Gris, in the county of Keweenaw;

11. House bill No. 338, entitled

A bill to exempt the county of Tuscola from the provisions of act number 43, of the session laws of 1869, being an act entitled "An act to provide for the drainage of swamps, marshes, and other low lands;"

12. House bill No. 195, entitled

A bill to amend an act entitled "An act to authorize the improvement of Fort street, in the township of Springwells," and to provide for the maintenance thereof;

13. House bill No. 163, entitled

A bill to amend section 1, of act 75, of the session laws of 1867, being an act entitled "An act to exempt soldiers, sailors, and marines from the payment of a capitation or poll tax," approved March 21, 1867;

14. House bill No. 347, entitled

A bill to legalize bounties to certain volunteers credited to Ovid, Clinton county, and to provide for the payment of the same.

JOHN F. COULTER, *Acting Chairman.*

Report accepted.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to repeal act No. 145, of the session laws of 1863, entitled "An act to provide for the sale of swamp and primary school lands, in the mineral range of the Upper Peninsula, heretofore withheld from market as mineral lands," approved March 19, 1863,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. C. MITCHELL, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred Senate bill No. 218, entitled

A bill appropriating one section of State swamp land to each mile of the Green Bay and Bay de Noquet State road, in Menominee county, to secure the completion of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. C. MITCHELL, *Acting Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill No. 60, being

A bill to amend section 106, act 169, laws of 1869, being "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Chamberlain,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. Holt,

The bill was placed on its immediate passage.

The bill was then read a third time and not passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Green,	Mr. R. C. Miller,
Adams,	Grosvenor,	P. Mitchell,
Adsit,	Haack,	Montgomery,
Atwood,	Hart,	Norris,
Cameron,	H. Haynes,	J. M. Osborn,
Chamberlain,	Holt,	Pattengell,
Coulter,	Houseman,	Post,
Garfield,	Hoyt,	Smith,
Garrison,	Kellogg,	Van Scoy,
Gibson,	Knapp,	Watkins,
C. B. Grant,	Little,	Wells,
R. J. Grant,	McGonegal,	Speaker,
Gray,	N. L. Miller,	

38

NAYS.

Mr Andrews,	Mr. Doty,	Mr. Minne,
Barnaby,	Edwards,	W.H.C.Mitchell.
Brown,	Ferris,	Moshier,
Cherry,	Gillam,	Pierson,
Childs,	Gorman,	Riford,
Clement,	Greusel,	Rood,
Climie,	S. W. Hill,	Swineford,
Cochrane,	Hurlbut,	Walker,
Congdon,	Huston,	Walton,
Crane,	E. R. Miller,	White,
Crofoot,	Millington,	Williams,
Dalton,		

34

Mr. Huston moved to reconsider the vote by which the House refused to pass the bill.

Mr. Hurlbut moved to lay the motion on the table.

Mr. Atwood demanded the yeas and nays.

The demand was not seconded.

The motion of Mr. Hurlbut did not prevail.

The motion to reconsider then prevailed.

On motion of Mr. Cameron,

The bill was laid on the table.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following :

EXECUTIVE OFFICE,
Lansing, March 29, 1871. }

To the House of Representatives :

I have this day approved, signed, and deposited in the office of the Secretary of State, the following entitled acts and resolutions :

1. An act to provide for the laying out, establishing, and construction of the Mayville and Sebawaing State road ;

2. An act ceding the jurisdiction of this State over certain lands owned by the United States ;

3. An act to amend section 2904, in chapter 95, of the compiled laws, being section 7, of chapter 71, of the revised statutes of 1846, entitled "Of the inventory and collection of the effects of deceased persons ;"

4. An act to legalize the acts of the highway commissioners of the township of Hazleton in changing the location of the Cronk ditch ;

5. An act to lay out and establish a State road in the counties of Midland and Saginaw, and to appropriate certain non-resident highway taxes therefor ;

6. An act to provide for the laying out and establishing a State road from Tyre, in the township of Austin, Sanilac county, to the shore of Lake Huron ;

7. An act to exempt the counties of Saginaw and St. Joseph from the provisions of act No. 43, of the session laws of 1869, being an act entitled "An act to provide for the drainage of swamps, marshes and other low lands ;"

8. An act to amend an act entitled "An act to regulate express companies and their agents, and individuals prosecuting the express business, not incorporated by the State of Michigan," approved March 27, 1867, by adding two new sections thereto ;

9. An act to provide for judgment and costs in mandamus cases ;

10. An act to incorporate the public schools of the city of Corunna ;

11. An act to amend sections 4 and 5, of chapter 97, of the revised statutes of 1846, the same being sections 4110 and 4111, in chapter 122, of the compiled laws, relative to the service of declarations, subpoenas in chancery, and other papers ;

12. An act to amend section 57, of chapter 103, of the revised statutes of 1846, being section 4399, in chapter 128, of the compiled laws, relative to the verdict of juries ;

13. An act to repeal section 12, of act No. 304, laws of 1865, entitled " An act to encourage the erection and support of water-power manufactories," approved March 21st, 1865, as amended by act No. 139, of laws of 1867, approved March 27. 1867 ;

14. An act to amend sections 3 and 6, of act No. 304, session laws of 1865, entitled " An act to encourage the erection and support of water-power manufactories ;"

15. An act to amend section 2, of an act entitled " An act to construct dams and improve the navigation of certain rivers," the same being on page 105, session laws of 1835 and 1836 ;

16. To organize the township of Ely, in the county of Marquette ;

17. To amend sections 7, 8, 9, and 10, of chapter 11, of the compiled laws, entitled " Of resignations, vacancies, and removals from office, and of supplying vacancies ;"

18. An act to revise and amend an act entitled " An act to incorporate the city of Muskegon ;"

19. An act to create fractional school district No. 1, of the city and township of Marquette ;

20. An act to detach certain territory from the township of Norton, and attach the same to the township of Fruitport, in the county of Muskegon ;

21. An act to change the name of Big Black Lake, in Muskegon county, to Lake Harbor ;

22. An act to provide for the adjustment and payment of certain ditch taxes in the county of Lenawee;

23. An act to provide for the union and consolidation of the Churches of Christ;

24. An act to provide for the incorporation of trust, deposit, and security companies;

25. An act to authorize the electors of the township of Milington, in the county of Tuscola, to raise money to purchase a township library;

26. An act to amend section 146, of chapter 90, of the revised statutes of 1846, being section 3599, and chapter 115, of the compiled laws, entitled "Of the courts of chancery;"

27. An act to amend section 27, of chapter 158, of the revised statutes of 1846, being marginal section 5882, in chapter 185, of the compiled laws, entitled "Of offenses against chastity, morality, and decency;"

28. Joint resolution authorizing the Commissioner of the State Land Office to issue two certificates of primary school land to Patrick Daily;

29. Joint resolution providing for letting to the lowest bidder, contracts to supply the State Prison and State Reform School with goods manufactured in this State, composed of wool, or partly of wool and partly of cotton.

HENRY P. BALDWIN.

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, March 30, 1871.

To the Speaker of the House of Representatives:

SIR—I am instructed to request the House to return to the Senate House bill No. 169, entitled

A bill to authorize the village of Caro to raise money to aid in the construction of a court-house for the county of Tuscola.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

On motion of Mr. Huston.

The bill was taken from the table.

Mr. Huston moved that the request of the Senate be granted, and that the Clerk be directed to re-transmit the bill to the Senate ;

Which motion prevailed.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, March 31, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 146, entitled

A bill to provide for the appointment of a board of commissioners for the general supervision of penal, pauper, and reformatory institutions, and defining their duties and powers,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the joint committee on State prison and reform school.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, March 31, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following joint resolution :

House joint resolution No. 20, entitled

Joint resolution for the relief of Richard Thorne ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, March 31, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bills :

1. House bill No. 227, entitled

A bill to change the name of Edna F. Flowers to Edna F June, and to constitute her heir-at-law of David June ;

2. House bill No. 242, entitled

A bill to amend sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, and 20, of an act entitled "An act to provide for the incorporation of water-power companies," approved March 20, 1863, and section 15, as amended by act No. 51, session laws of 1869, and to add a new section thereto, to stand as section 22.

3. House bill No. 313, entitled

A bill to constitute the president and board of trustees of the village of Bellevue the commissioners of highways thereof, and to make the street commissioner the overseer of highways of said village, and to create a board of control for bridges within said village ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,
Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, March 31, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bills :

1. House bill No. 318, entitled

A bill to provide for the incorporation of St. Jean Baptiste societies ;

2. House bill No. 334, entitled

A bill to amend an act entitled “ An act to incorporate the village of Ovid,” approved March 24, 1869, by adding a new section thereto ;

3. House bill No. 346, entitled

A bill to confirm the title of certain cemetery property within the city of Saginaw, in Saginaw county, and authorizing the common council of said city to sell the same ;

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bills were referred to the committee on engrossment and enrollment, for enrollment.

On motion of Mr. Moshier,

The rules were suspended, and

Mr. H. Haynes moved to discharge the committee of the whole from the further consideration of Senate joint resolution No. 13, entitled

Joint resolution authorizing the sale of certain land belonging to the Michigan State Prison, in the county of Jackson :
Which motion prevailed.

On motion of Mr. H. Haynes,

The joint resolution was placed on its immediate passage.

The joint resolution was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Garrison,	Mr. R. C. Miller,
Adams,	Gibson,	Millington,
Adsit,	Gillam,	Minne,
Andrews,	C. B. Grant,	P. Mitchell,
Atwood,	R. J. Grant,	W.H.C. Mitchell,
Barnaby,	Gorman,	Montgomery,
Brockway,	Gray,	Moshier,
Brown,	Green,	Norris,
Cameron,	Greusel,	J. M. Osborn,
Chamberlain,	Haack,	Pattengell,
Cherry,	Hart,	Post,
Childs,	H. Haynes,	Riford,
Clement,	S. W. Hill,	Rood,
Climie,	Holland,	Smith,
Cochrane,	Holt,	Sumner,
Copley,	Houseman,	Swineford,
Crane,	Hoyt,	Tobey,
Crofoot,	Huff,	Van Scoy,
Dalton,	Hurlbut,	Walton,
Doty,	Knapp,	Watkins,
Edwards,	Little,	Wells,
Fenton,	McGonegal,	White,
Ferris,	E. R. Miller,	Williams,
Garfield,	N. L. Miller,	Speaker, 72

NAYS.

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Title agreed to.

On motion of Mr. Holt,

The rules were suspended, and he moved to take from the table the following concurrent resolution:

Resolved (the Senate concurring), That from and after Friday, the 31st day of March, 1871, the two Houses will transact no business other than for the President of the Senate and the Speaker of the House to sign enrolled bills for the approval of the Governor, and the entry of the same on the journals of the proper Houses by the Secretary and Clerk, and the time of final adjournment of this Legislature shall be on

Tuesday, the 4th day of April, 1871, at 12 o'clock, noon, of that day;

Which motion prevailed.

Mr. Holt offered the following substitute for the resolution :

Resolved (the Senate concurring), That from and after Thursday, the 13th day of April, 1871, the two houses will transact no business other than for the President of the Senate and the Speaker of the House to sign enrolled bills, for the approval of the Governor, and the entry of the same on the journals of the proper Houses by the Secretary and Clerk, and the time of final adjournment of this Legislature shall be on Monday, the 17th day of April, 1871, at 12 o'clock, noon, of that day;

Which was agreed to.

The resolution was then adopted.

Mr. Cameron moved to reconsider the vote by which the House refused to pass House bill No. 291, entitled

A bill to improve and protect the fisheries, and to appoint commissioners of the same for the State of Michigan;

Which motion prevailed.

On motion of Mr. Riford,

The bill was laid on the table.

On motion of Mr. Grosvenor,

The rules were suspended, and he moved to take from the table House manuscript, bill being

A bill to provide for the establishment of a homeopathic hospital, and appointment of two professors in the Michigan University;

Which motion prevailed.

On motion of Mr. Grosvenor,

The bill was recommitted to the committee on State affairs.

Mr. Cameron moved that the House adjourn;

Which motion prevailed.

The Speaker then declared the House adjourned until Wednesday, the 5th of April, at 9 o'clock A. M.

Lansing, Wednesday, April 5, 1871.

The House met pursuant to adjournment, and in the absence of both the Speaker and Speaker *pro tem.*, was called to order by the Clerk.

Prayer by the Rev. Mr. Davis.

Roll called: not a quorum present.

Mr. Hart moved that there be a call of the House;

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs. Adams, Adsit, Atwood, Barnaby, Bates, Cameron, Chamberlain, Cochrane, Congdon, Copley, Crofoot, Dalton, Doty, Edwards, Fenton, Ferris, Gibson, Gillam, Gray, Green, Grosvenor, Haack, Harris, Hazen, Holt, Hoyt, Huff, Huston, Kellogg, McGonegal, E. R. Miller, R. C. Miller, Minne, P. Mitchell, Montgomery, C. Y. Osburn, Pearl, Pierson, Post, Rood, Roof, Roost, Ross, Runyan, Smith, Thayer, Watkins, Wells, White, Speaker.

On motion of Mr. Brockway,

The Sergeant-at Arms was despatched after the absentees.

The Sergeant-at-Arms announced Mr. Bates at the bar of the House.

On motion of Mr. Climie,

Mr. Bates was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. C. Y. Osburn at the bar of the House.

On motion of Mr. Walker,

Mr. C. Y. Osburn was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Post at the bar of the House.

On motion of Mr. Riford,

Mr. Post was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Harris at the bar of the House.

On motion of Mr. N. L. Miller,

Mr. Harris was admitted within the bar, rendered an excuse, and took his seat.

On motion of Mr. Riford,

All further proceedings under the call were dispensed with. A quorum of the House was declared present.

On motion of Mr. S. W. Hill,

Mr. Brockway was appointed Speaker *pro tem.* for the day.

PRESENTATION OF PETITIONS.

By Mr. Greusel: Statement of votes given in the township of Springwells, Wayne county, Michigan, at the annual township meeting, April 3d, 1871, on the question of organizing a police force in said township, as proposed by Senate bill No. 88.

On motion of Mr. Greusel,

The statement was referred to the committee on State affairs, and was ordered printed in the journal.

The following is the statement:

To the Honorable the Legislature of the State of Michigan:

The undersigned, the township board of the township of Springwells, hereby declare that at the annual township meeting held April 3d, 1871, as a means of testing the will of the electors of said township on the question of providing and maintaining a police force in the township of Springwells, as provided in a certain Senate bill (No. 88) now pending before the Legislature, they provided ballots inscribed "Police—Yes," and "Police—No;" and also a ballot box separately for the said police ballots. The said ballots were duly canvassed and counted, with the following result: For "Police—No," there were given 240 votes; for "Police—Yes," there were given 5 votes.

Ordered, That this statement be given under our hands and delivered to the Hon. John Greusel, to be presented to the Legislature, as an expression of the will of the people of Springwells in the matter of the pending "Police Bill," and that the same be published in the legislative journal—the Legislature consenting.

HENRY HAGGERTY, *Supervisor.*

FRANCIS HYNES, *Justice of the Peace.*

ELI BURKMAN, *Township Clerk.*

HARRY BUTTON, *Justice of the Peace.*

ANDREW J. LINZEE, *Clerk of the Election.*

Dated Springwells, April 3, 1871.

By Mr. Post: Petition of James Moore for an additional section of swamp land to complete a State road in Sanilac county.

Mr. Millington moved to lay the petition on the table:

Which motion did not prevail.

Mr. Post moved that the petition be ordered printed in the journal;

Pending which motion,

On motion of Mr. Holland,

The petition was referred to the committee on public lands.

REPORTS OF STANDING COMMITTEES.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 211, being

A bill to incorporate the village of Galien,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. M. OSBORN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brown,

The House concurred in the amendments made to the bill by the committee.*

The bill was then referred to the committee of the whole, and placed on the general order.

MESSAGE FROM THE GOVERNOR.

* The Speaker *pro tem.* announced the following:

EXECUTIVE OFFICE,
Lansing, April 5, 1871. }

To the House of Representatives:

A distinguished and honored citizen of Michigan and of the Republic has fallen.

Scarcely had the mantle of his high office as one of the Senators of the United States been laid aside, when Jacob M. Howard was called from his earthly career to that world from whence no traveler returns.

In the midst of apparent health and strength, Mr. Howard was cut down with scarcely the warning of a day. During the trying period of the late civil war, he, as a Senator, was ever found most valiant and fearless in the cause of his country and its unity. The whole nation is largely indebted to his commanding intellect and great force of character, as chairman of the Pacific Railroad committee, in the Senate of the United States, for the successful inauguration and completion of that great work, which unites the Atlantic and Pacific States in bands of iron.

The people of Michigan and of the United States have lost a citizen who, for intellectual power, had few superiors. It is meet and right that we take heed that no position or strength, however exalted, is beyond the reach of the great destroyer.

The funeral ceremonies will take place at Detroit, at 2½ o'clock P. M., on Friday, the 7th inst.

HENRY P. BALDWIN.

The message was laid on the table.

MESSAGE FROM THE SENATE.

The Speaker *pro tem.* announced the following :

SENATE CHAMBER, }
Lansing, March 31, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 224, entitled

A bill to provide for laying out and establishing a State road in the county of Houghton,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Swineford moved that there be a call of the House ;

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs. Adams, Adsit, Atwood, Barnaby, Cameron, Chamberlain, Cochrane, Congdon, Copley, Crofoot, Dalton, Edwards, Fenton, Ferris, Gibson, Gillam, Gray, Green, Grosvenor, Haack, J. Haynes, Hazen, Holt, Hoyt, Huff, Huston, McGonegal, E. R. Miller, Minne, P. Mitchell, Montgomery, Pearl, Pierson, Rood, Roof, Roost, Ross, Runyan. Smith, Sumner, Thayer, Watkins, Wells, White, Speaker.

The Sergeant-at-Arms announced Mr. Roof at the bar of the House.

On motion of Mr. Swineford,

Mr. Roof was admitted within the bar, rendered an excuse, and took his seat.

On motion of Mr. H. Haynes,

Leave of absence was granted Mr. Holt for the day.

On motion of Mr. Childs,

Leave of absence was granted to Messrs. Pierson and Congdon indefinitely, on account of sickness.

On motion of Mr. Little,

Leave of absence was granted to Mr. Haack for the day.

On motion of Mr. Swineford,

All further proceedings under the call were dispensed with.

On motion of Mr. Riford,

Leave of absence was granted to Messrs. Edwards and Chamberlain for the day.

On motion of Mr. Hughes,

Leave of absence was granted to Mr. P. Mitchell indefinitely, on account of sickness.

On motion of Mr. H. Haynes,

Leave of absence was granted to Mr. Gillam for the day.

On motion of Mr. Greusel,

Leave of absence was granted to Messrs. Cochrane, Hoyt, Gibson, McGonegal, Dalton, and Pearl for the day.

On motion of Mr. Gorman,

Leave of absence was granted to Mr. Sumner for the day.

On motion of Mr. Gorman,

Leave of absence was granted to Mr. Grosvenor indefinitely, on account of sickness.

GENERAL ORDER.

On motion of Mr. Holland,

The House went into committee of the whole on the general order,

Mr. Houseman in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. Senate bill No. 14, entitled

A bill to provide for vacating cemetery plats and cemetery grounds in the limits of incorporated cities and villages ;

2. Senate bill No. 71, entitled

A bill to provide for the drainage and reclamation of swamp lands lying in the counties of Charlevoix and Antrim, by means of straightening, deepening, and removing obstructions in the channel of Pine river ;

3. Senate bill No. 112, entitled

A bill to provide for the laying out, establishing, and constructing a State road from the Saginaw river westerly to Freeland Station, in the county of Midland, to be known as the Kochville and Freeland Station State road ;

4. Senate bill No. 128, entitled

A bill to provide for the incorporation of societies for the promotion of pomology, horticulture, and kindred sciences and arts in the State of Michigan ;

5. Senate bill No. 157, entitled

A bill to amend sections 16, 23, 24, 25, 28, 29, 57, 65, 66, 67, 80, 106, 137, and 139, of chapter 58, of the revised statutes of 1846, being sections 2259, 2266, 2267, 2268, 2271, 2282, 2300, 2308, 2309, 2310, 2323, 2349, 2378, and 2380, of the compiled laws ; also, section 2384, of the compiled laws, as amended by an act approved April 3, 1866 ; also, section 4 of an act approved March 26, 1867, amending an act to establish graded and high schools, approved February 14, 1859 ; also, section 2411, of the compiled laws, the same being section 13, of an act for the relief of school districts, approved February 7, 1855,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills :

6. Senate bill No. 54, entitled

A bill to change the names of James Selkrig, Electa C. Selkrig, Portia Mariah Selkrig, Charles Vassar Selkrig, Lucia Senoretta Selkrig, Mathew Vassar Selkrig, and Catharine Vassar Selkrig, to surname of Selkirk;

7. Senate bill No. 55, entitled

A bill to change the name of Ernest Meddan to Ernest McCullough, and to constitute him the heir-at-law of John McCullough, of Genesee county, Michigan;

8. Senate bill No. 158, entitled

A bill to provide for the laying out and establishing a State road in the county of Sanilac;

9. Senate bill No. 89, entitled

A bill to authorize the adoption by Gilbert M. Hasty and Sabina D. Hasty, of an infant female child, and to constitute her their heir-at-law;

10. Senate bill No. 144, entitled

A bill to provide for giving notice to county treasurers of lists of railroad grant lands which have become taxable;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

J. HOUSEMAN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Post,

The House concurred in the amendments made to the first five named bills by the committee, and they were placed on the order of third reading.

The last five named bills were placed on the order of third reading.

Mr. Post, by unanimous consent, offered the following:

Resolved (the Senate concurring), That out of respect to the memory of the late Hon. Jacob M. Howard, the Sergeant-at-Arms be directed to place the national flag at half-mast until Saturday noon.

On motion of Mr. Riford.

The rules were suspended, and the resolution was adopted.

Mr. Grosvenor, by unanimous consent, moved to take from the table the enacting clause of House bill No. 14, entitled

A bill to amend section 1, of an act entitled "An act to amend section 1687, of the compiled laws, requiring boards of supervisors to raise an annual tax for the benefit of county agricultural societies;"

Which motion prevailed.

On motion of Mr. Grosvenor,

The enacting clause was referred to the committee on banks and incorporations.

On motion of Mr. Riford,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker *pro tem.* for the day.

Roll called: quorum present.

MESSAGE FROM THE GOVERNOR.

The Speaker *pro tem.* announced the following:

EXECUTIVE OFFICE, }
Lansing, April 5, 1871. }

To the House of Representatives:

I am prepared to submit nominations, which will require the approval of the two Houses in joint convention, whenever it shall suit the Senate and House of Representatives to meet for the purpose of receiving them.

HENRY P. BALDWIN.

The message was laid on the table.

GENERAL ORDER.

On motion of Mr. Millington,

The House went into committee of the whole on the general order,

Mr. S. W. Hill in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. Senate bill No. 156, entitled

A bill to authorize the dissolution of mining and manufacturing companies organized under chapter 63, of the compiled laws, and the acts amendatory thereof, in certain cases, and for the distribution of the assets thereof among the stockholders thereof;

2. House bill No. 352, entitled

A bill to establish and construct a ditch in the townships of Gilford, in Tuscola county, Blumfield, in Saginaw county, and Portsmouth, in Bay county, and making an appropriation of non-resident highway taxes for the same;

3. House bill No. 357, entitled

A bill to provide for the division of the township of Plymouth, Wayne county, into two election districts, for general election purposes;

4. House bill No. 358, entitled

A bill to provide for the constructing of a State road from Bad-Axe, in Huron county, to a point in town 12 north, of range 12 east, in Sanilac county;

5. House bill No. 360, entitled

A bill to lay out and establish a State road from Beechville, in the county of Lapeer, to the town of Marathon, in said county, and making an appropriation of State swamp lands for the same;

6. House bill No. 361, entitled

A bill to lay out and establish a State road from the village of Cheboygan, in the county of Cheboygan, to Little Traverse Bay, in Emmet county;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills :

7. House bill No. 354, entitled

A bill to amend section 27, of chapter 141, of the compiled laws, as enacted by act No. 160, of the session laws of 1861, relative to the service of process on railroad corporations in garnishee cases ;

6. House bill No. 356, entitled

A bill to amend act number 138, of the session of A. D. 1867, being an act entitled "An act to amend section 1, of chapter 70, of the revised statutes of 1846, being section 2877, of chapter 94, of the compiled laws, entitled 'Of the administration and distribution of estates of deceased persons ;'"

9. Senate bill No. 114, entitled

A bill to amend section 17, of chapter 130, of the revised statutes of 1846, the same being section 5193 of the compiled laws, relative to the foreclosure of mortgages by advertisement ;

10. Senate bill No. 132, entitled

A bill to amend section 3, of chapter 149, of the revised statutes of 1846, being section 5597 of the compiled laws, relative to costs and the recovery and taxation thereof in civil cases ;

11. Senate bill No. 117, entitled

A bill to repeal section 2, of an act entitled "An act to amend chapter 123, of the revised statutes of 1846, being section 5002 of the compiled laws ;"

12. Senate bill No. 129, entitled

A bill to confirm the title to lot 1, of block 96, of the city of Lansing, in "St. Paul's Episcopal church," of said city of Lansing, and to authorize said society to dispose of the same ;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

S. W. HILL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cherry,

The House concurred in the amendments made to the six first named bills by the committee, and they were placed on the order of third reading.

The six last named bills were placed on the order of third reading.

Mr. Holt, by unanimous consent, offered the following:

Resolved by the House of Representatives (the Senate concurring), That the two branches of the Legislature will meet in joint convention on Thursday, the 6th day of April inst., at half-past 2 o'clock P. M., to act upon such nominations as the Governor may be prepared to make to such joint convention.

On motion of Mr. Adam,

The rules were suspended, and the resolution was adopted.

The committee on banks and incorporations, by unanimous consent, made the following report:

The committee on banks and incorporations, to whom was referred

A bill to repeal an act entitled "An act to incorporate the city of Lapeer,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

J. M. OSBORN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Garrison,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Grosvenor,

The rules were suspended, and the bill was placed on its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Gorman moved to lay the bill on the table;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS..

Mr. Adam,	Mr. Green,	Mr. W.H.C. Mitchell,
Andrews,	Greusel,	Montgomery,
Atwood,	Grosvenor,	Moshier,
Barnaby,	H. Haynes,	Norris,
Bates,	J. Haynes,	C. Y. Osburn,
Brown,	N. R. Hill,	J. M. Osborn,
Cameron.	S. W. Hill,	Pattengell,
Cherry,	Holland,	Phillips,
Clement,	Holt,	Post,
Climie,	Houseman,	Priest,
Cochrane,	Hoyt,	Riford,
Copley,	Hughes,	Rood,
Coulter,	Hurlbut,	Roost,
Crane,	Kellogg,	Swineford,
Doty,	Lamb,	Thayer,
Edwards,	Little,	Tobey,
Garrison,	McGonegal,	Van Scoy,
Gibson,	N. L. Miller,	Walker,
C. B. Grant,	R. C. Miller,	Walton,
R. J. Grant,	Millington,	Speaker <i>pro tem.</i> ,
Gray,		61

NAYS.

Mr. Childs.	Mr. Gorman,	Mr. Roof,
Ferry,	Knapp,	Williams,
Garfield,		7

The question being on agreeing to the title,

On motion of Mr. Grosvenor, the title was amended so as to read as follows :

A bill to amend sections 3 and 95, of an act entitled "An act to revise the charter of the city of Monroe," approved March 21st, 1871 ;

The title, as amended, was then agreed to.

On motion of Mr. Grosvenor,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Bates, by unanimous consent, offered the following:

Whereas, The Almighty in his wisdom has stricken down in the midst of his usefulness the Honorable Jacob M. Howard, late United States Senator from this State;

And whereas, In the loss of the Honorable Jacob M. Howard from among the ranks of the noblemen of Michigan, we, the members of the House of Representatives of this State, feel that one of the ablest lawyers, clearest thinkers, most honored patriots, and profoundest statesmen of our time has been taken from us; therefore,

Resolved, That we deeply deplore his death; that we recognize the insufficiency of language to properly express our sincere affection, great admiration, and pure regard for the memory of this man who was alike the pride of our State and of our country.

Resolved, That we extend to his family our warm and heartfelt condolence; that we mourn with them the terrible dispensation which has occurred to remind us of the slight hold we have upon life.

Resolved, That a committee consisting of eight members of the House of Representatives be appointed to attend the funeral ceremonies at Detroit, under the direction of the presiding officer of this House.

Resolved, That these resolutions be entered on the journal of the House, and that a page thereof be set apart as a memorial page for that purpose; and as a further mark of respect,

Resolved, That this House do now adjourn.

Pending the adoption of the resolutions, the following addresses were made:

BY MR. BATES.

Mr. Speaker :—It is, sir, with feelings of the most profound sorrow, that I offer these resolutions as a tribute of respect to the memory of Mr. Howard. It is with a keen sense of the loss

which we have sustained as a State, for it is upon impressions produced by the character of such representative men that other people and other localities judge of the character of our State. In his death Michigan has lost a representative man. In his death the country has lost a staunch friend, and the world a fearless advocate of progress and reform.

There are times in the history of States and of nations when men, engaged in their usual avocations, involuntarily pause in the midst of their labors, and reflect upon a life-history which has just been completed: when they contemplate with sorrow the fact that an honored, honorable, and distinguished fellow-citizen has been called upon to render his final account to the great God above us.

This is one of these occasions. The intelligence of the death of Hon. Jacob M. Howard caused men, not only in our State, but all over our broad land, to reflect upon the character and achievements of the deceased. This is natural,—it is proper. When, by reason of a masterly knowledge of men, a comprehensive familiarity with law or politics, or by reason of long and continued service in public life, a man becomes known to the world, I say it is natural and proper that upon his death we should devote some time to the discussion and relation of his virtues, his acquirements, and his achievements. But when a man who possessed all of these distinguishing qualities; who possessed the profound learning of a constitutional lawyer who knew no peer in this country; whose knowledge of international law and political economy was almost boundless, and whose steady devotion to his country in the hour of her darkest trials,—devotion at a time when good men doubted, and bad men fought for the destruction of our government,—when such a man dies, it is certainly proper that we should linger a moment in the sad contemplation of his untimely taking off.

The body of Jacob M. Howard is attired in the habiliments of the tomb. His form will no more be seen mingling in the scenes among which he has been wont to take so active and

important a part. Death, the relentless destroyer, has done his work, and we have only the memory of the gentleman, the lawyer, the scholar, and the statesman with us. While it is not the fortune of all to possess his powerful brain, his culture, or his influence, it is in our power to emulate his character, and to profit by the golden example of his life, as measured by its results to individuals, to the State of Michigan, and to our common country.

I leave, sir, the relation of his achievements to those who are here who have known him intimately for years, who have worked with him shoulder to shoulder in the earlier days of our history as a State. They can tell better than I of his untiring industry, of his sterling good sense, of his personal character, and his gigantic brain. They cannot, however, pay a more earnest tribute than I desire to do to his memory. May it ever be green in our hearts.

BY MR. MILLINGTON.

Mr. Speaker :—One of the ablest jurists and statesmen of this age has suddenly and unexpectedly passed from the scenes of earth. His history as a public man dates back to a time prior to the existence of our State government, and the important acts and counsel suggested by him from that early period entitle his memory to the highest gratitude of every citizen of the State, for having thus ably watched over and defended us from our infancy as a State until the day of his death. His superior judgment in the counsels of the nation, as a member of the House of Representatives and the Senate of the United States, bear witness of his extraordinary capacity ; and the untiring energy as the chairman of the Pacific Railroad committee, in prosecuting plans for the completion of that great work, will be long remembered as the consummation of the most extraordinary work of internal improvement of modern times.

As a statesman he was always ready to defend the cause of the oppressed. To him the Republicans of the nation are

indebted for the resolutions of 1854, at the organization of that party.

The dull toll of the distant bell and the sudden preparation of mourning by a great nation, as the telegraph announced the death of Hon. Jacob M. Howard, speak of bereavement, and touch our hearts with the deepest regret for the loss which we, as a State, and the people of the nation, have sustained, and still deeper the sympathies we seek to express in these resolutions to his family in being thus suddenly deprived of a parent and brother.

When the history of the political parties of this country is written, Jacob M. Howard's name and political opinions heretofore expressed will be assigned a conspicuous place therein.

Three days since, after a life of extraordinary activity and perseverance in professional and public life, at the zenith of his fame, in full possession of health and intellectual vigor until two days prior to that time, our honored friend was called from his life of labor.

From my earliest childhood, and the relationship existing with the deceased, I had the benefit of his counsels, and have ever had the greatest reason for gratitude for the wisdom of his ripe judgment. Meeting with him at the city of Jackson, in council at the organization of a national political party, and knowing that the basis of our political creed then adopted originated with, and since ably defended by him, it becomes us as a State and nation, so far as *possible*, to mingle our sorrow for the sudden loss of this great man with the family who are thus called to mourn.

Through his long career there shines a gifted and noble manhood, a true patriot, and such courage mid trying scenes as only characterize a true and honest man. But he has gone to rest, and we *must* submit to the mysterious and unchanging laws of Nature's God, and may we pattern after his great and good example.

" Let us no more contend, nor blame each other,—
Blamed enough elsewhere ;
But strive, in offices of love, how we may lighten
Each other's burden in our share of woe."

BY MR. HOYT.

Mr. Speaker :—It is but a short time since, at the capitol, we had the pleasure of seeing the Hon. Jacob M. Howard. It was in the month of January last. He was then a candidate for the office of United States Senator. He was in good health and spirits, and at the close of that political contest was as cheerful as when he entered upon it. When he left this city, I bade him farewell. It was a long farewell. I did not meet him again until I saw his manly form struggling in the agonies of death. It was on Saturday last. I am an unfit person to pronounce a eulogy upon the Hon. Jacob M. Howard. His character and conduct is well known to the people of this State and nation. I became acquainted with the deceased about twenty-five years ago. He met me as a friend,—he continued my friend until he was struck down by the arrow of death. He came to this State at an early day in its history, and continued a citizen thereof up to the time of his death. I most heartily bear my testimony to the good character, honesty, and integrity of the Hon. Jacob M. Howard.

BY MR. C. B. GRANT.

Mr. Speaker :—I had not the honor of a personal acquaintance with the Hon. Jacob M. Howard; I knew him only as the statesman, as the public man.

No man dies, whatever his condition may be, but some relative or friend mourns his loss; no worthy citizen dies but friends and neighbors sorrowfully gather to express their approbation of his useful life, and to perform the last sad ceremonies over his remains. But only when that citizen dies who has left his impress upon the State or nation, do the people pause to do honor to his memory. Fittingly do we now pause in our business in this hall to do honor to him who was

one of Michigan's greatest men, and the people of the State and of the nation unite with us in our tribute to his memory.

The history of the deceased is intimately connected with the history of Michigan. The impress of his clear mind is upon our statute books, and will be felt in all the future of our State. But his intellect was too great to be circumscribed by State limits, and he was called to a broader field of influence in the councils of the nation.

Cicero once said that "he who saved his country is worthy of as much praise and gratitude as he who founded it." Do I say too much when I say that Hon. Jacob M. Howard was one of those who helped to save the country in the late struggle for national life? His vigorous energy and his clear, mature judgment are inseparably connected with our country's history during the rebellion and the subsequent measures of reconstruction.

He loved to grapple with the more difficult problems of statesmanship, leaving minor political matters to others. In the distribution of patronage and other things, which harass and annoy men in political life, he trusted much to his personal friends, and often to his disadvantage.

In politics he was uncompromising, but by untiring research, his thorough knowledge and his convincing logic, he won the respect of his opponents, as is now evidenced by their testimony to his valuable services.

Like us all, he had his faults, but they were not the faults of the heart. I am told that, to those who knew him but slightly, he sometimes seemed distant and reserved, but it was not so with those who knew him well, either in private or public life. He was, in this respect, undoubtedly such a man as the poet describes:

"Lofty and sour to those who loved him not,
But to those men that sought him, sweet as summer."

We can truly say that one of our nation's great men has passed away. We can well afford to throw the mantle of

charity over his faults; nay, we can well afford to bury them in the grave where they will soon lay his body, and let him live, as live he will, as the ripe scholar, the able lawyer, and the profound statesman.

The messenger who is no respecter of persons has summoned from us one of the noblest of our own number, and now has summoned one of the nation's noblest. Let us heed the lesson, and when our turn shall come, as come it must, may we be fortunate enough to hear pronounced the welcome words: "Well done, good and faithful servant."

BY MR. GREUSEL.

Mr. Speaker:—It is but a short time since we beheld the face of the Hon. Jacob M. Howard here present in this hall. From all outward indications he bade fair long to continue his life of usefulness. But it has been ordered otherwise, and we lament the disappearance from the sphere of usefulness which he filled so well, of a devoted servant of the State. The labors of Mr Howard in behalf of the State and the nation are his best monument. During his long career as an officer of the State government, it was his earnest endeavor to so perform his duty that the interests of the State and the people should not suffer. His faithfulness as a public officer was not restricted to the mere routine of official duty. His whole mind, and intellect, and energies were devoted to the care of the interests the people had entrusted to him. In the pursuance of his official duty as Attorney General, his care for justice and the enforcement of the law, he went into inquiries that a less scrupulous officer might have omitted without detriment to his official oath. But such was the integrity of Jacob M. Howard, such his fidelity to what he deemed the truth, that he regarded not personal comfort, personal enmity, or personal popularity.

His duty was to the State. To the State he deemed himself accountable, and to the State he wholly devoted himself. You are familiar with the most noted cases in which he appeared as counsel.

As a Representative and a Senator in Congress, he was not less faithful to his own State while comprehending the interests of the whole nation.

The measures he advocated were of national importance; they were the fruit of careful study of the wants of the people, and as such are now recognized. The Pacific railroad, the Homestead bill, and the Constitutional amendments bear record of the enlarged views he took of the wants of the nation.

His character was marked above most men; the familiar name by which we loved to call him, "Honest Jake." Take him for all in all, we shall not soon look upon his like again.

BY MR. HAZEN.

Mr. Speaker:—I arise to support fully the resolutions under consideration on the death of Hon. Jacob M. Howard. Michigan has lost one of her ablest lawyers, greatest statesmen, and an honest and pure-minded citizen. Well has he earned the universal reputation of an honest and true man, politician and statesman. He was one of the pioneers of Michigan. He cast his lot in Michigan when it was a territory, and his interest has been identified with the people of Michigan from that time to the time of his death. He has served the people in almost every official capacity. As early as 1838, he served the people in the State Legislature. In 1841 and 1842 he represented Michigan in Congress. For six years he was the Attorney General of the State. From 1862 to March 4, 1871, he represented Michigan in the Senate of the United States. As a lawyer and statesman he had no superior in the Senate of the United States. I have been acquainted with the deceased for thirty-three years, have always respected him for his frankness, ability, and integrity, and the valuable services rendered his country, both in time of peace and when our country was passing through her great afflictions and tribulations. I have had the pleasure of voting for Mr. Howard on every occasion when he has been elected to represent Michigan in the Congress of the United States, as Representative and

Senator, and I have never had occasion to regret the aid and support given him, but have always been proud of the record and history made by our lamented statesman. Future generations will receive blessings and benefits from the valuable services rendered the country by the learned statesman. Suddenly stricken down in the vigor of life and health, fully illustrates the uncertainty of this life. Senator Howard was a true patriot. "He loved his land because it was his own, and scorned to give ought other reason why." We shall always remember and respect him for his integrity and true patriotism, and the valuable services rendered our State and country.

BY MR. N. L. MILLER.

Mr. Speaker:—I cannot allow this occasion to pass without saying a word in regard to the lamented dead. Jacob M. Howard was born, and his early life was passed, in the Green Mountain State. With her hardy sons, inhaling the elastic breath of her hills and mountains, inured to toil, and learning in early life the lessons of hardy, frugal industry, his primal manhood presented the model of physical strength and beauty; his intellectual powers were a counterpart of his physical, and he entered upon the race of human life endowed with all of the elements that guarantee success. He came to Michigan in 1832, and was the first candidate for Congress for whom I gave my vote. I have watched his career, with peculiar pride and pleasure. A lawyer of pre-eminent abilities, a statesman hardly without a peer in the nation, he justly gained and steadily retained the respect and esteem of all discerning men. He was a man whose patriotism could not be called in question. During the dark days of rebellion and treason, his clarion voice was ever heard in the national councils, on the side of right, justice, and freedom. On all constitutional questions his opinions were oracular. He was ever true to the interests of his immediate constituents, honest in his convictions, and faithful to the last for the welfare of his country. In his social life he was endeared to all who had the pleasure of intimate

personal acquaintance and intercourse. We shall no more gaze upon his manly form or listen to his eloquent teachings. He sleeps the sleep that knows no waking. The memory of Howard, like that of his associates, Webster, Clay, and Lincoln, will be embalmed in the hearts of his countrymen forever. His virtues will be cherished by patriotic men in all coming time.

We would that his useful life might have been spared to the State and nation; but alas! a mysterious Providence has determined otherwise. On the morrow all that remains mortal of Jacob M. Howard will be consigned to the silent grave, but he will live in the memory of those who survive while that memory is faithful to her sacred trust. Death must come to us all, sooner or later.

“ Brave spirit, mourned with fond regret,
Lost in life's pride, in valor's noon;
O, who could deem thy star should set,
So beautifully and so soon.

“ Fatal, though bright, the fire of mind
Which marked and closed thy brief career,
And the fair wreath of Hope entwined,
Lies withered on thy bier.”

BY MR. SWINEFORD.

Mr. Speaker :—I rise to support these resolutions, with a full appreciation of my inability to express the sorrow which the heart feels upon the announcement of a great public calamity like that which has just befallen our State and the nation at large. In the death of the Hon. Jacob M. Howard, the State has sustained an irreparable loss, and the particular district I have the honor to represent one of its best friends, to whose official action in its behalf it owes much, very much, of the prosperity it now enjoys. Mr. Speaker, we are apt to speak of the dead words of praise which are too often withheld from the living; and it is only when men who are truly great and good are thus taken from among us, that we suddenly awake

to a full realization of their true worth. As a life-long political enemy of him whose death we now mourn, I desire simply to add my tribute of respect to his memory. No matter what may have been said or written of him politically, it can truly be said that the personal integrity of the Hon. Jacob M. Howard, as well as his unselfish devotion to the best interests of the State and nation, has never been questioned. We of the Upper Peninsula mourn his loss as that of a dear friend to whom we have been accustomed to look for succor and support in the hour of need. To his influence and labors we owe many, very many, of the appropriations for the improvement of our rivers and harbors, and as a Senator in Congress earnestly and faithfully devoted to the interests of the people he was chosen to represent, political considerations aside, I truly believe the State of Michigan never had and never can have an abler or more influential advocate in our national councils.

But, sir, he is gone,—gone from among us, leaving a memory that will be cherished by thousands upon thousands of those who remember only the good that was done in the body, and who are willing to bury with him all recollection of the evil, if any there was.

But it has been truly said that “death loves a shining mark,” and in this sudden and unexpected dispensation of Providence, through which the State has been robbed of one of its best and greatest men, we have but an additional lesson, teaching the insignificance of human grandeur and the vanity of renown. Let us hope that now “after life’s fitful fever, he sleeps well.”

BY MR. HARVEY HAYNES.

Mr. Speaker:—Feeble and of but little account will be any encomiums that may be uttered by any member of this House upon this occasion. A great man has fallen. I think I may say, without the least fear of being disputed, that of all the statesmen of our day, the noblest Roman of them all “sleeps his last sleep.” His eloquent voice, which has so often electri-

fied the Senate of the United States during his ten years of faithful service in that body, now lies silent in death, reminding us once and again that

“ The boast of heraldry, the pomp of power,
And all that beauty, all that wealth e'er gave,
Await alike th' inevitable hour ;
The paths of glory lead but to the grave.”

BY MR. MONTGOMERY.

Mr. Speaker :—Upon an occasion like the present, where a complete uniformity of sentiment prevails, there must of necessity be a similarity of expression. That Jacob M. Howard was a great man, a profound lawyer, and an eminent statesman, are all conceded facts which I have never heard any individual bold enough to dispute. For my own part, I sincerely believe that I do no injustice to the long list of eminent men of this State, when I assert my belief that he was the greatest of them all, and the man who was, intellectually, pre-eminently at the head of the present public men of Michigan, and the peer of any man in the Senate of the United States. I am entirely conscious, Mr. Speaker, that the feeble eulogy which I am able to pronounce upon this occasion will but poorly indicate to the people of this State, and of our common country, what are the real sentiments of respect and sorrow which I, in common with my fellow-members of this House, entertain for the memory of the distinguished dead.

From the fact of my own youth and inexperience in a public capacity, it was not my fortune to enjoy the honor of his personal acquaintance in his lifetime, and hence I am unable to testify to his amiability and generous social qualities, which are so willingly accorded to him by others more fortunate than myself; but I have seen him many times, and can truly say that I never looked upon him in my life without being profoundly affected with a sense of my own feebleness and imbecility. As it is, I should not do myself complete justice did I not attempt, in my feeble way, to express my respect and ven-

eration for the character, services, and memory of our illustrious fellow-citizen; and did I not experience such emotion, I would certainly be wanting in the sentiment so common to our natures. He is gone, but he will not be soon forgotten. The world will move along and continue its ceaseless rounds; ages and generations will pass away; the untiring waters of the great lakes which border on the Peninsular State will rise and fall along through unnumbered ages; but the memory of Jacob M. Howard will survive all these events, and be transmitted by the historian down to generations yet unborn.

BY MR. GRAY.

Mr. Speaker :—By proclamation of Governor Blair, an extra session of the Legislature of this State commenced January 2, 1862.

A war of rebellion against a wise and beneficent government had been inaugurated in one portion of the country. Michigan, by her patriotic Governor, was asked, through her Representatives, to aid the national government, by money and men, in overthrowing the enemies of the union of the States, and restoring the supremacy of the constitution and the laws.

At the same session, Jacob M. Howard was elected Senator. He entered Congress at a time of great peril to the nation, and when grave and important questions were arising, upon the proper and wise solution of which depended the preservation of the constitution and the union of the States. Jacob M. Howard was equal to the crisis, and upon all the leading measures that were pressed upon his attention during the nine years of his Senatorial career, he did honor to himself, his State, and the country, by his learning, statesmanship, and integrity of purpose.

He favored a bold policy, a vigorous prosecution of the late war, that peace thereby might the sooner be restored. He was a Representative in the lower house of Congress in 1840. Although long after his term expired, in private life he rapidly rose as a lawyer, and with advancing years came to

him, by assiduous industry, advancement in learning and ability.

He was thoroughly conversant and indented with the diversified interests of his State. Whatever differences of opinion there may be as to his political opinions, all agree as to his breadth of views upon all the important political questions of the day, and his valuable efforts in securing the completion of great works of internal improvement that are developing, as if by magic, the vast territories of the West into growing and prosperous States. He was the peer of such statesmen as Fessenden, Sumner, and Trumbull.

Although, perhaps, not as arduous a worker in obtaining offices for his friends as they might have wished, yet what he lacked in this respect was more than compensated by his devotion to the material interests of his State and the national interests of his country.

Born among the mountains of Vermont, he reflected the stern virtues—steadfastness of purpose, and high toned morality—of its people.

Well may we say, in the language of another great statesman, “he still lives” in his patriotic speeches in Congress, and in the measures he originated for the preservation of his country, and in his powerful defense at all proper times and occasions of that successful policy, the wisdom of which is now conceded, and by which the country was saved.

BY MR. RIFORD.

Mr. Speaker :—I fully sympathize with the remarks made in commendation of the departed.

It was not my fortune to form his personal acquaintance. I knew him as I have known other public men,—by the greatness of his achievements. Becoming a resident of Detroit at an early age, he has contributed in an eminent degree to the prosperity and development of his adopted State.

Selected by the people of this State to fill various important offices, he always maintained a sacred regard for the welfare of

the people, and discharged his duties with honor, ability, and integrity.

Elevated to the grandest deliberative assembly in the civilized world, he stood peerless among the Senators of the United States.

As a constitutional lawyer, I believe he had no superior within the confines of this vast Republic, and he was well worthy to wear the mantle of the immortal Webster.

A staunch supporter of President Lincoln's administration, he perhaps did as much for the nation during the dark hour of the rebellion as any American statesman.

At the head of the railroad committee, he was the great champion of the Pacific railroad, and contributed largely towards the early completion of that grand project, and lived to see the two oceans united by the iron band.

A nation will mourn his loss as irreparable, but his memory is embalmed in the hearts of his countrymen, and will be as lasting as the granite rocks of his native State.

BY MR. J. HAYNES.

Mr. Speaker:—I am fully conscious that no eulogy which I can utter will add to the esteem in which Mr. Howard was held while living, or perpetuate the recollection of him now that he is dead. His words will be remembered long after the words I now utter shall be forgotten, and his deeds are sufficient of themselves to secure a lasting and grateful remembrance. Yet I would join my voice with the universal expressions of sorrow going up all over our land, at the loss this State and the Union have sustained.

My personal acquaintance with the late Jacob M. Howard was too limited to enable me to do more than testify to his untarnished reputation; nor was I a citizen of this State during the time he was connected with the State government. But after he was elected to the United States Senate I knew him, not merely as a citizen of Michigan, but of the Union; as a representative not merely of the interests of his State,

but of the United States. He was the representative of a principle as broad as humanity, which was not intended to be confined, nor capable of being confined, within the narrow limits of a State.

His authorship and powerful advocacy of the recent constitutional amendments, his untiring devotion to the cause of the Union, and the reconstruction of the States, conspicuously connect him with the new epoch of our government, by which it has been placed on a broader and more enduring basis.

His influence and usefulness during those "troubulous times" were due not less to his forecast and moral courage than to the greatness of his intellect. But neither his intellect, nor his fame, nor his friends, who now mourn his departure, could shield him from death. His body will shortly be consigned to the tomb, but there is yet a double existence. His undying spirit has gone to its eternal abode, whilst his fame will continue to live in the hearts, and be spoken from the lips of liberty-loving men throughout the world.

BY MR. ADAM.

Mr. Speaker :—I had not intended to have said a word on this occasion, but I feel as though I would hardly be doing justice to my own feelings if I failed to add a very brief tribute to the memory of the fallen statesman. I first formed the acquaintance of the Hon. Jacob M. Howard some 33 years ago, when Mr. H. was a member of the House of Representatives of the then young and almost infant State of Michigan. My duties, as connected with the other branch of the Legislature in 1838, did not allow me much opportunity or occasion to watch or learn the course of Mr. Howard during that session; but I well remember hearing Mr. H. make one of the most able and marked speeches of the time, on the subject of the flood of irredeemable paper promises to pay, with which Michigan was then being blessed or cursed,—a speech in which Mr. H. showed that he had studied the subject with the eye and talent of a statesman, showing the wide departure from all true princi-

ples of banking or sound maxims of political economy into which the people of Michigan were then hurrying. I then marked Mr. Howard as one of the promising young men of the State, and I have ever since that time had the honor to rank him as a personal friend, and had the pleasure to be recognized and remembered as such by him. I have often met Mr. Howard in the social circle in Detroit, and had met him on official business while he was Attorney General, and had always found him the same able, clear-headed, sound, and upright lawyer and statesman. Although not politically identified with the party to which Mr. H. belonged, I can say for myself, and, I believe, for the great mass of those who differed from Mr. H. on some political questions, that they never doubted the ability and integrity of the deceased; and that few States, if any, in the Union, had more just cause to be proud of their representative in the United States Senate, than Michigan had in their now departed statesman, Jacob M. Howard.

The resolutions were then unanimously adopted.

The Speaker *pro tem.* named the following gentlemen as the committee to attend the funeral of Hon. Jacob M. Howard: Messrs. Hazen, Greusel, Millington, Post, Bates, Walker, Hart, and Cochrane.

The Speaker *pro tem.* then declared the House adjourned until to-morrow morning at 9 o'clock.

Lansing, Thursday, April 6, 1871.

The House met pursuant to adjournment, and in the absence of both the Speaker and Speaker *pro tem.*, was called to order by the Clerk.

Prayer by Rev. Mr. Hickox.

Roll called: quorum present.

The Clerk called Mr. Holt to the chair, the Speaker having designated him, by a communication to the Clerk, to preside for the day.

Absent without leave : Messrs. Dalton. Grosvenor, Huston, Pierson, Ross, and Wells.

Mr. Atwood asked and obtained leave of absence for Mr. Crofoot indefinitely, on account of sickness.

Mr. Greusel asked and obtained leave of absence for Mr. Dalton indefinitely, on account of sickness,

Mr. Ohlds asked and obtained leave of absence for Mr. Pierson indefinitely, on account of sickness.

Mr. Atwood asked and obtained leave of absence for Mr. Grosvenor indefinitely, on account of sickness.

Mr. Adams asked and obtained leave of absence for Mr. H. Haynes until Saturday.

Mr. Watkins asked leave of absence for himself indefinitely. Objected to.

On motion of Mr. Atwood,

Indefinite leave of absence was granted to Mr. Watkins.

Mr. McGonegal asked leave of absence for Mr. Wells until Saturday. Objected to.

On motion of Mr. Montgomery,

Leave of absence was granted to Mr. Wells until Saturday.

PRESENTATION OF PETITIONS.

By Mr. Hughes: Remonstrance of Thos. W. Huggett and 27 others against the repeal of the whole or any part of the prohibitory liquor law ;

Referred to the committee on State affairs.

By Mr. Hughes: Petition of Thos. W. Huggett and 27 others, citizens of Eaton county, asking that the present prohibitory law of this State be amended so that the penalties be largely increased, and made to apply to the first offense, and compel the attendance of witnesses; and that there be added to the law a provision for payment by the seller or lessee, of

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to change the name of James Selkrig, Hannah Selkrig, James Edward Selkrig, Henrietta Elizabeth Selkrig, Adde Bell Selkrig, and Charles Ellis Manly Selkrig, to that of Selkirk,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. CAMERON, *Chairman.*

Report accepted and committee discharged.

Mr. Watkins moved that the rules be suspended, and the bill be placed on its immediate passage;

Which motion did not prevail.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE GOVERNOR.

The Speaker *pro tem.* announced the following:

EXECUTIVE OFFICE,
LANSING, *March 30, 1871.* }

To the House of Representatives :

I have this day approved, signed, and deposited in the office of the Secretary of State, the following entitled act:

An act to provide for the election of aldermen in the fourth ward of the city of Flint at the annual election for 1871, and to authorize the common council of said city to assess, levy, and collect a highway tax in said fourth ward for 1871.

HENRY P. BALDWIN.

The message was laid on the table.

The President *pro tem.* also announced the following:

EXECUTIVE OFFICE, {
Lansing, March 31, 1871. }

To the House of Representatives :

I have this day approved, signed, and deposited in the office of the Secretary of State, the following entitled acts :

1. An act to change the boundaries of certain fractional school districts of Clarence and Sheridan, in the county of Calhoun ;

2. An act to amend act No. 147, of the session laws of 1869, entitled " An act to amend section 1666, being section 8, of chapter 52, of the compiled laws, relative to the manufacture and sale of intoxicating drinks as a beverage ;"

3. An act to amend the charter of the village of Milford ;

4. An act to incorporate the village of Grass Lake ;

5. An act to organize union school district of the township of Rogers ;

6. An act to authorize the city of Ypsilanti to vacate a cemetery, and to prevent burials in the eastern cemetery ;

7. An act to change the name of the township of Lovell, in Muskegon county, to Fruitport ;

8. An act to amend an act entitled " An act to amend an act entitled ' An act to establish a police court in the city of Detroit,' approved April 2, 1850, and to add a new section thereto, approved March 20, 1863," and to add a new section thereto ;

9. An act to legalize certain acts and proceedings of the board of fire commissioners in the city of Detroit ;

10. An act to amend act No. 162 of the session laws of 1867, entitled " An act relative to the imprisonment of parties in civil suits in certain cases, by adding a new section, to stand as section three ;

11. An act to authorize school district No. 9 of the township of Battle Creek, in the county of Calhoun, to issue bonds ;

12. An act to revise the charter of the city of Monroe ;

13. An act to change the name of William Zahn to William Sawn ;

MESSAGES FROM THE SENATE.

The Speaker *pro. tem* announced the following:

SENATE CHAMBER, {
Lansing, March 31, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 228, entitled

A bill to amend sections 1 and 8, of an act entitled “An act to provide for a State board of equalization,” approved April 7th, 1851, being sections Nos. 223 and 230, of chapter 7, of the compiled laws;

And to inform the House that the Senate has amended the same by striking out in the title and also in the enacting clause the words “of chapter 7;”

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Holland moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gorman,	Mr. Moshier,
Adams,	Gray,	Norris,
Adsit,	Green,	C. Y. Osburn,
Andrews,	Greusel,	J. M. Osborn,
Barnaby,	Haack,	Pearl,
Brown,	Harris,	Pattengell,
Cameron,	H. Haynes,	Phillips,
Chamberlain,	J. Haynes,	Post,
Cherry,	Hazen,	Priest,
Childs,	N. R. Hill,	Riford,
Clement,	S. W. Hill,	Rood,
Climic.	Holland,	Roof,

Mr. Cochrane,	Mr. Houseman.	Mr. Roost,
Congdon,	Hoyt,	Runyan,
Copley,	Huff,	Smith,
Coulter,	Hughes,	Sumner,
Crane,	Hurlbut,	Thayer,
Doty,	Kellogg,	Tobey,
Fenton,	Knapp,	Van Scoy,
Ferris,	Lamb,	Walker,
Ferry,	McGonegal,	Walton,
Garfield,	E. R. Miller,	Watkins,
Garrison,	N. L. Miller,	Webster,
Gibson,	R. C. Miller,	White,
Gillam,	Millington,	Williams,
C. B. Grant,	Minne,	Speaker <i>pro tem.</i> ,
R. J. Grant,	W.H.C. Mitchell,	80
	NAYS.	0

The title, as amended by the Senate, was agreed to.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }
Lansing, April 5, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following concurrent resolution :

Resolved (the Senate concurring), That out of respect to the memory of the late Hon. Jacob M. Howard, the Sergeant-at-Arms be directed to place the national flag at half-mast until Saturday noon ;

In the passage of which the Senate has concurred.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The concurrent resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, {
Lansing, March 31, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill :

House bill No. 290, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Detroit, approved February fifth, one thousand eight hundred and fifty-seven, as amended by the several acts amendatory thereof," and to add several sections thereto, and to repeal several sections thereof ;

And to inform the House that the Senate has amended the same as follows :

1. By inserting, in section 46, line 17, page 15, after the word "same," the following provisos: "*Provided*, That nothing herein contained shall be construed to authorize the inspecting, measuring, weighing, or gauging of any article herein enumerated, which is to be shipped beyond the limits of this State, except at the request of the owner thereof, or of the agent having charge of the same: *And provided further*, That the common council shall not have power to require the measuring of wood or the weighing of hay, except at the request of the seller or purchaser thereof or the agent of either of them ;

2. By striking out, in section 46, page 22, line 5, the words "two-thirds" and inserting in place thereof the words "three-quarters;"

3. By substituting for the word "one-half" where it occurs in section 47, line 2, and also in line 3, the word "one-quarter" and inserting after the word "years," in same section, line 3, the words "one-quarter in three years;"

4. By striking out, in section 47, line 7, the word "two," and inserting in place thereof the word "one;" and inserting after the word "coupons," in line 7, of the same section, the

words "and those made payable in three years shall have attached one interest coupon;"

5. By striking out, in section 48, line 2, the word "three," and inserting in place thereof the word "four;" also, striking out, in line 4, of the same section, the word "one-third," and inserting in place thereof the word "three-fourths;" also, striking out, in line 5, of the same section, the word "and," and inserting after the figure "3," the words "and four;"

6. By inserting, in section 8, page 25, line 10, after the word "dollars," the words "over and above the bonds mentioned in section 46, of this act;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Pending the question of concurring in the amendments made to the bill by the Senate,

On motion of Mr. McGonegal,

The bill was laid on the table.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER, }
Lansing, April 6, 1871.

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following joint resolution:

House joint resolution No. 17, entitled

Joint resolution authorizing a temporary suspension of payment of State bounties;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

Mr. Millington, by unanimous consent, offered the following :

Resolved, That 1,000 extra copies of the daily journal of April 5th be ordered printed for the use of this House :

Which was adopted.

THIRD READING OF BILLS.

House bill No. 317, entitled

A bill to provide for laying out and establishing a State road from the New England mine to the Michigan furnace, in the county of Marquette, and making an appropriation of State swamp lands to aid in the construction thereof ;

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. H. Haynes,	Mr. Montgomery,
Adams,	J. Haynes,	Moshier,
Adsit,	N. R. Hill,	O. Y. Osburn,
Andrews,	S. W. Hill,	J. M. Osborn,
Atwood,	Holland,	Pearl,
Barnaby,	Hoyt,	Phillips,
Brown,	Hughes,	Rood,
Clement,	Hurlbut,	Roof,
Congdon,	Lamb,	Roost,
Copley,	Little,	Runyan,
Doty,	McGonegal,	Sumner,
Fenton,	R. C. Miller,	Thayer,
Garrison,	Millington,	Walker,
R. J. Grant,	Minne,	Webster,
Haack,	W.H.C.Mitchell,	Speaker <i>pro tem.</i> ,
Harris,		46

NAYS.

Mr. Chamberlain,	Mr. Gillam,	Mr. Pattengell,
Cherry,	Green,	Post,
Childs,	Greusel,	Priest,
Climie,	Huff,	Riford,
Coulter,	Kellogg,	Tobey,
Crane,	Knapp,	Van Scoy,

Mr. Ferris,	Mr. E. R. Miller,	Mr. Walton,
Ferry,	N. L. Miller,	White,
Garfield,	Norris,	Williams,
Gibson,		

28

Senate bill No. 118, entitled

A bill to incorporate the village of Fowlerville, in the county of Livingston, and State of Michigan, and to define the boundaries thereof,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. Montgomery,
Adams,	C. B. Grant,	Moshier,
Adsit,	R. J. Grant,	Norris,
Andrews,	Gorman,	C. Y. Osborn,
Atwood,	Green,	J. M. Osborn.
Barnaby,	Greusel,	Pattengell.
Brockway,	Haaek,	Pearl,
Brown,	H. Haynes,	Post,
Cherry,	N. R. Hill,	Priest,
Childs,	S. W. Hill,	Riford,
Clement,	Hoyt,	Rood,
Climie,	Huff,	Roost,
Congdon,	Hughes,	Runyan,
Copley,	Hurlbut,	Sumner,
Coulter,	Kellogg,	Thayer,
Crane,	Knapp,	Tobey,
Doty,	Lamb,	Van Scoy,
Edwards,	McGonegal,	Walker,
Fenton,	E. R. Miller,	Walton,
Ferris,	N. L. Miller,	White,
Ferry,	R. C. Miller,	Williams,
Garrison,	Millington,	Speaker <i>pro tem.</i> ,

66

NAYS.

6

Title agreed to.

On motion of Mr. C. Y. Osborn,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 339, entitled

A bill to organize the township of Branch, in the county of Mason,

14. An act to change the name of Barbara Walker to Ada Putney ;

15. An act appropriating certain non-resident highway taxes to aid in the construction of the Cass River and Bay City State road ;

16. An act to prevent the adulteration of milk, and to prevent the traffic in impure and unwholesome milk ;

17. An act to legalize the tax-rolls of the township of East Bay, in the county of Grand Traverse, for the years 1868, 1869, and 1870 ;

18. An act to amend chapter 95, of the compiled laws, by extending to executors and administrators power over land contracts in certain cases, by adding a new section thereto, to stand as section No. 19 of said chapter ;

19. An act to exempt the counties of Tuscola, Hillsdale, Genesee, Oakland, and Lapeer from the provisions of act number 43, of the session laws of 1869, being an act entitled "An act to provide for the drainage of swamps, marshes, and other low lands."

HENRY P. BALDWIN.

The message was laid on the table.

The Speaker *pro tem.* also announced the following :

EXECUTIVE OFFICE, }
Lansing, March 31, 1871. }

To the House of Representatives :

I have this day approved, signed, and deposited in the office of the Secretary of State, the following entitled act :

An act to amend sections 1, 2, 3, 4, 5, and 6, of an act entitled "An act to provide for laying out and establishing a State road in the counties of Macomb and St. Clair," being act No. 402, of session laws of 1869.

HENRY P. BALDWIN.

The message was laid on the table.

The Speaker *pro tem.* also announced the following :

EXECUTIVE OFFICE, }
Lansing, April 5, 1871. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State, the following entitled acts :

1. An act to amend an act entitled "An act to authorize the improvement of Fort street, in the township of Springwells, and to provide for the maintenance thereof ;"

2. An act to subject all persons holding office under the government of the State of Michigan to removal from office for drunkenness ;

3. An act appropriating certain non-resident highway taxes for the improvement of the Port Sanilac and Tuscola State road ;

4. An act to amend section 1, of act 75, of the session laws of 1867, being an act, entitled "An act to exempt soldiers, sailors and marines from the payment of a capitation or poll tax," approved March 21, 1867 ;

5. An act to amend section 19, of chapter 163, of the revised statutes of 1846, being section 5995, in chapter 194, of the compiled laws, relative to the arrest and examination of offenders committed for trial and taking bail ;

6. An act to legalize bounties to certain volunteers, credited to Ovid, Clinton county, and to provide for the payment of the same ;

7. An act to amend sections 10 and 12, of an act entitled "An act in relation to life insurance companies transacting business within this State," approved March 30, 1869, and to add three new sections thereto, to stand as sections 27, 28, and 29 ;

8. An act to incorporate the village of Williamston.

HENRY P. BALDWIN.

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker *pro. tem* announced the following:

SENATE CHAMBER, {
Lansing, March 31, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 228, entitled

A bill to amend sections 1 and 8, of an act entitled “An act to provide for a State board of equalization,” approved April 7th, 1851, being sections Nos. 223 and 230, of chapter 7, of the compiled laws;

And to inform the House that the Senate has amended the same by striking out in the title and also in the enacting clause the words “of chapter 7;”

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Holland moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gorman,	Mr. Moshier,
Adams,	Gray,	Norris,
Adsit,	Green,	C. Y. Osburn,
Andrews,	Greusel,	J. M. Osborn,
Barnaby,	Haack,	Pearl,
Brown,	Harris,	Pattengell,
Cameron,	H. Haynes,	Phillips,
Chamberlain,	J. Haynes,	Post,
Cherry,	Hazen,	Priest,
Childs,	N. R. Hill,	Riford,
Clement,	S. W. Hill,	Rood,
Climie.	Holland,	Roof,

Mr. Cochrane,	Mr. Houseman.	Mr. Roost,
Congdon,	Hoyt,	Runyan,
Copley,	Huff,	Smith,
Coulter,	Hughes,	Sumner,
Crane,	Hurlbut,	Thayer,
Doty,	Kellogg,	Tobey,
Fenton,	Knapp,	Van Scoy,
Ferris,	Lamb,	Walker,
Ferry,	McGonegal,	Walton,
Garfield,	E. R. Miller,	Watkins,
Garrison,	N. L. Miller,	Webster,
Gibson,	R. C. Miller,	White,
Gillam,	Millington,	Williams,
C. B. Grant,	Minne,	Speaker <i>pro tem.</i> ,
R. J. Grant,	W.H.C. Mitchell,	80

NAYS.

0

The title, as amended by the Senate, was agreed to.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }
Lansing, April 5, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following concurrent resolution :

Resolved (the Senate concurring), That out of respect to the memory of the late Hon. Jacob M. Howard, the Sergeant-at-Arms be directed to place the national flag at half-mast until Saturday noon ;

In the passage of which the Senate has concurred.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The concurrent resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, {
Lansing, March 31, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill :

House bill No. 290, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Detroit, approved February fifth, one thousand eight hundred and fifty-seven, as amended by the several acts amendatory thereof," and to add several sections thereto, and to repeal several sections thereof ;

And to inform the House that the Senate has amended the same as follows :

1. By inserting, in section 46, line 17, page 15, after the word "same," the following provisos: "*Provided*, That nothing herein contained shall be construed to authorize the inspecting, measuring, weighing, or gauging of any article herein enumerated, which is to be shipped beyond the limits of this State, except at the request of the owner thereof, or of the agent having charge of the same: *And provided further*, That the common council shall not have power to require the measuring of wood or the weighing of hay, except at the request of the seller or purchaser thereof or the agent of either of them ;

2. By striking out, in section 46, page 22, line 5, the words "two-thirds" and inserting in place thereof the words "three-quarters ;"

3. By substituting for the word "one-half" where it occurs in section 47, line 2, and also in line 3, the word "one-quarter" and inserting after the word "years," in same section, line 3, the words "one-quarter in three years ;"

4. By striking out, in section 47, line 7, the word "two," and inserting in place thereof the word "one;" and inserting after the word "coupons," in line 7, of the same section, the

words "and those made payable in three years shall have attached one interest coupon;"

5. By striking out, in section 48, line 2, the word "three," and inserting in place thereof the word "four;" also, striking out, in line 4, of the same section, the word "one-third," and inserting in place thereof the word "three-fourths;" also, striking out, in line 5, of the same section, the word "and," and inserting after the figure "3," the words "and four;"

6. By inserting, in section 8, page 25, line 10, after the word "dollars," the words "over and above the bonds mentioned in section 46, of this act;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Pending the question of concurring in the amendments made to the bill by the Senate,

On motion of Mr. McGonegal,

The bill was laid on the table.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER, }
Lansing, April 6, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following joint resolution:

House joint resolution No. 17, entitled

Joint resolution authorizing a temporary suspension of payment of State bounties;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

Mr. Millington, by unanimous consent, offered the following :

Resolved, That 1,000 extra copies of the daily journal of April 5th be ordered printed for the use of this House ;

Which was adopted.

THIRD READING OF BILLS.

House bill No. 317, entitled

A bill to provide for laying out and establishing a State road from the New England mine to the Michigan furnace, in the county of Marquette, and making an appropriation of State swamp lands to aid in the construction thereof ;

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. H. Haynes,	Mr. Montgomery,
Adams,	J. Haynes,	Moshier,
Adsit,	N. R. Hill,	C. Y. Osburn,
Andrews,	S. W. Hill,	J. M. Osborn,
Atwood,	Holland,	Pearl,
Barnaby,	Hoyt,	Phillips,
Brown,	Hughes,	Rood,
Clement,	Hurlbut,	Roof,
Congdon,	Lamb,	Roost,
Copley,	Little,	Runyan,
Doty,	McGonegal,	Sumner,
Fenton,	R. C. Miller,	Thayer,
Garrison,	Millington,	Walker,
R. J. Grant,	Minne,	Webster,
Haack,	W.H.C. Mitchell,	Speaker <i>pro tem.</i> ,
Harris,		46

NAYS.

Mr. Chamberlain,	Mr. Gillam,	Mr. Pattengell,
Cherry,	Green,	Post,
Childs,	Greusel,	Priest,
Climie,	Huff,	Riford,
Coulter,	Kellogg,	Tobey,
Crane,	Knapp,	Van Scoy,

Mr. Ferris,
Ferry,
Garfield,
Gibson,

Mr. E. R. Miller,
N. L. Miller.
Norris,

Mr. Walton,
White,
Williams,

28

Senate bill No. 118, entitled

A bill to incorporate the village of Fowlerville, in the county of Livingston, and State of Michigan, and to define the boundaries thereof,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Adsit,
Andrews,
Atwood,
Barnaby,
Brockway,
Brown,
Cherry,
Childs,
Clement,
Climie,
Congdon,
Copley,
Coulter,
Crane,
Doty,
Edwards,
Fenton,
Ferris,
Ferry,
Garrison,

Mr. Gillam,
C. B. Grant,
R. J. Grant,
Gorman,
Green,
Greusel,
Haack,
H. Haynes,
N. R. Hill,
S. W. Hill,
Hoyt,
Huff,
Hughes,
Hurlbut,
Kellogg,
Knapp,
Lamb,
McGonegal,
E. R. Miller,
N. L. Miller,
R. C. Miller,
Millington,

Mr. Montgomery,
Moshier,
Norris,
C. Y. Osburn,
J. M. Osborn,
Pattengell,
Pearl,
Post,
Priest,
Riford,
Rood,
Roost,
Runyan,
Sumner,
Thayer,
Tobey,
Van Scoy,
Walker,
Walton,
White,
Williams,
Speaker *pro tem.*,

66

NAYS.

6

Title agreed to.

On motion of Mr. C. Y. Osborn,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 339, entitled

A bill to organize the township of Branch, in the county of Mason,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. C. B. Grant,	Mr. Montgomery,
Adams,	R. J. Grant,	Moshier,
Adsit.	Gorman,	Norris,
Atwood,	Green,	C. Y. Osburn,
Barnaby,	Greusel,	J. M. Osborn,
Brown,	Haack,	Pearl,
Cameron.	H. Haynes,	Pattengell,
Chamberlain,	J. Haynes,	Phillips,
Cherry,	Hazen,	Post,
Childs,	N. R. Hill,	Priest,
Clement,	S. W. Hill,	Riford,
Climie,	Holland,	Rood,
Cochrane,	Hoyt,	Roost,
Copley,	Huff,	Runyan,
Coulter,	Hurlbut,	Smith,
Crane,	Kellogg,	Sumner,
Doty,	Knapp,	Thayer,
Edwards,	Lamb,	Tobey,
Fenton,	Little,	Van Scoy,
Ferris,	McGonegal,	Walker,
Ferry,	E. R. Miller,	Walton,
Garfield,	N. L. Miller,	Watkins,
Garrison,	R. C. Miller,	Webster,
Gibson,	Millington,	Williams,
Gillam,	W.H.C.Mitchell,	Speaker <i>pro tem.</i> ,

75

NAYS.

0

Title agreed to.

On motion of Mr. W. H. C. Mitchell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 341, entitled

A bill to provide for the laying out and establishing a State road from Midland City to the west line of Midland county, on the south side of Pine river, and making an appropriation therefor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Gibson,	Mr. W.H.C. Mitchell,
Adams,	Gillam,	Moshier,
Adsit,	C. B. Grant,	Norris,
Andrews,	R. J. Grant,	C. Y. Osburn,
Atwood,	Green,	Pattengell,
Barnaby,	Haack,	Pearl,
Bates,	J. Haynes,	Phillips,
Brown,	Hazen,	Post,
Cameron,	N. R. Hill,	Priest,
Chamberlain,	S. W. Hill,	Riford,
Cherry,	Holland,	Rood,
Childs,	Hoyt,	Roost,
Clement,	Hughes,	Smith,
Climie,	Hurlbut,	Sumner,
Cochrane,	Kellogg,	Thayer,
Copley,	Little,	Tobey,
Crane,	McGonegal,	Van Scoy,
Edwards,	N. L. Miller,	Walker,
Fenton,	R. C. Miller,	Walton,
Ferry,	Millington,	Watkins,
Garrison,		

61

NAYS.

Mr. Coulter,	Mr. Greusel,	Mr. J. M. Osborn,
Doty,	Knapp,	Webster,
Ferris,	Lamb,	Williams,
Garfield,	E. R. Miller,	Speaker <i>pro tem.</i> ,
Gorman,		

13

The question being on agreeing to the title,

On motion of Mr. J. Haynes,

The title was amended by striking out the word "State" and inserting the word "county" in lieu thereof.

The title, as amended, was then agreed to.

On motion of Mr. J. Haynes,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 343, entitled

A bill to compel children to attend school,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Coulter moved to amend the bill by striking out, in line

2, section 1, the word "fourteen," and inserting the word "sixteen" in lieu thereof.

Mr. Barnaby moved to amend the amendment by striking out the word "sixteen" and inserting the word "twelve" in lieu thereof;

Which was withdrawn.

Mr. Coulter then withdrew his amendment.

Mr. Coulter moved to amend the bill by striking out, in line 11, section 1, the words "two miles by the nearest traveled road of the residence of any person," and inserting in lieu thereof, the words "the district in which such parent or guardian resides."

Mr. Riford moved, as a substitute for the amendment, to amend the bill by inserting, in line 11, section 2, after the word "person," the words "within the school district;"

Which was agreed to.

The amendment as amended by the substitute was then adopted.

Mr. Garrison moved to amend the bill by striking out all after the word "reside," in line 5, section 1, to and including the word "school," in line 10;

Which motion did not prevail.

Mr. Copley moved to amend the bill by striking out, in line 10, section 1, the word "three," and inserting the word "six" in lieu thereof;

Which motion did not prevail.

Mr. Coulter moved to amend the bill by striking out, in lines 3 and 4, of section 2, the words "for three weeks during the month of August in each year;"

Which motion did not prevail.

Mr. Adam moved to amend the bill by striking out, in line 5, section 1, the word "board," after the word "district," and inserting the words "the board of" after the word "by," in the same line;

Which motion prevailed.

Mr. Cochrane moved to amend the the bill by inserting, in line 2, section 1, after the word "children," the words "speaking and understanding the English language;"

Which motion did not prevail.

Mr. C. B. Grant moved that there be a call of the House ;

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs. Gray, Huston, Montgomery, and Ross.

On motion of Mr. Cameron,

All further proceedings under the call were dispensed with.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. Norris,
Adams,	C. B. Grant,	C. Y. Osburn,
Adsit,	R. J. Grant,	J. M. Osborn,
Andrews,	Green,	Pattengell,
Atwood,	Greusel,	Pearl,
Bates,	Haack,	Phillips,
Brockway,	Harris,	Post,
Brown,	Hart,	Priest,
Cameron,	J. Haynes,	Riford,
Chamberlain,	N. R. Hill,	Rood,
Cherry,	S. W. Hill,	Roof,
Childs,	Holland,	Roost,
Climie,	Houseman,	Smith,
Cochrane,	Hoyt,	Sumner,
Congdon,	Huff,	Swineford,
Coulter,	Hughes,	Thayer,
Edwards,	Hurlbnt,	Tobey,
Fenton,	Lamb,	Van Scoy,
Ferris,	Little,	Walker,
Ferry,	E. R. Miller,	Watkins,
Garfield,	Millington,	Williams,
Garrison,	Moshier,	Speaker <i>pro tem.</i> ,
Gibson,		67

NAYS.

Mr. Barnaby,	Mr. Hazen,	Mr. W.H.C. Mitchell,
Clement,	Kellogg,	Runyan,
Copley,	Knapp,	Walton,
Crane,	McGonegal,	Webster,
Doty,	R. C. Miller,	White,
Gorman,	Minne,	17

The question being on agreeing to the title,

Mr. Hughes moved to amend the title so as to read as follows :

A bill to provide for universal education :

Which motion did not prevail.

The title was then agreed to.

Mr. Post moved to reconsider the vote by which the House refused to pass House bill No. 317, entitled

A bill to provide for laying out and establishing a State road from the New England Mine to the Michigan Furnace, in the county of Marquette, and making an appropriation of State swamp lands to aid in the construction thereof;

Which motion prevailed.

On motion of Mr. Swineford,

The bill was laid on the table.

House bill No. 350, entitled

A bill for the improvement and completion of the western portion of the Capac and Clyde State road, in the county of St Clair, State of Michigan, and making an appropriation of State swamp land therefor,

Being under consideration,

On motion of Mr. Hazen,

The bill was laid on the table.

Senate bill No. 14, entitled

A bill to provide for vacating cemetery plats and cemetery grounds in the limits of incorporated cities and villages,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Cochrane moved to amend the bill by inserting, in line

3, section 4, between the words "cemetery" and "in," the words "not more than six miles from the nearest corporate limits of said city or village;" also, by inserting, in line 6, section 4, after the word "admit," the following: "*Provided*, That no removal of said bodies and remains shall be made during the months of June, July, August, or September;"

Which motion prevailed.

On motion of Mr. Brockway,

The bill was referred to the committee on judiciary.

On motion of Mr. Walker,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker *pro tem.* for the day.

Roll called: quorum present.

MESSAGE FROM THE SENATE.

The Speaker *pro tem.*, by unanimous consent, announced the following:

SENATE CHAMBER,
Lansing, April 6, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House manuscript bill entitled

A bill to amend sections 3 and 95, of an act entitled "An act to revise the charter of the city of Monroe," approved March 21st, 1871;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same

to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

Mr. Atwood, by unanimous consent, moved to discharge the committee of the whole from the further consideration of House bill No. 417, entitled

A bill to amend section fifteen of act No. 370, of the session laws of eighteen hundred and sixty-nine, entitled "An act to incorporate the village of Leslie;"

Which motion prevailed.

On motion of Mr. Atwood,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. C. B. Grant,	Mr. W.H.C. Mitchell,
Adams,	R. J. Grant,	Moshier,
Adsit,	Green,	Norris,
Andrews,	Haack,	C. Y. Osburn,
Atwood,	Harris,	J. M. Osborn,
Barnaby,	J. Haynes,	Pattengell,
Cameron,	N. R. Hill,	Phillips,
Chamberlain,	S. W. Hill,	Priest,
Childs,	Holland,	Riford,
Clement,	Hoyt,	Rood,
Olimie,	Huff,	Root,
Copley,	Hughes,	Runyan,
Crane,	Hurlbut,	Sumner,
Crofoot,	Kellogg,	Swineford,
Doty,	Knapp,	Thayer,
Edwards,	Lamb,	Tobey,
Fenton,	Little,	Van Scoy,
Ferris,	McGonegal,	Walton,
Ferry,	E. R. Miller,	Watkins,
Garfield,	N. L. Miller,	Webster,

Mr. Garrison, Gibson, Gillam,	Mr. R. C. Miller, Minne,	Mr. Williams, Speaker <i>pro tem.</i> , 67
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NAYS.

Mr. Cherry,	1
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Title agreed to.

On motion of Mr. Atwood,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The House resumed the order of

THIRD READING OF BILLS.

Senate bill No. 54, entitled

A bill to change the names of James Selkrig, Electa C Selkrig, Portia Mariah Selkrig, Charles Vassar Selkrig, Lucia Senoretta Selkrig, Mathew Vassar Selkrig, and Catharine Vassar Selkrig, to surname of Selkirk,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam, Adams, Adsit, Andrews, Barnaby, Brockway, Cameron, Chamberlain, Cherry, Childs, Clement, Climie, Copley, Crane, Crofoot, Edwards, Fenton, Ferris, Garrison,	Mr. R. J. Grant, Gorman, Green, Greusel, Haack, Harrie, N. R. Hill, S. W. Hill, Holland, Hoyt, Huff, Hughes, Hurlbut, Kellogg, Knapp, Lamb, Little, E. R. Miller, N. L. Miller,	Mr. W.H.C. Mitchell, Moshier, Norris, C. Y. Osburn, J. M. Osborn, Pattengell, Phillips, Priest, Riford, ; Rood, Roof, Roost, Swineford, Thayer, Van Scoy, ; Walton, Watkins, Webster, White,
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Mr. Gibson, Gillam, C. B. Grant,	Mr. R. C. Miller, Minne,	Mr. Williams, Speaker <i>pro tem.</i> , 64
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NAYS.

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Title agreed to.

Senate bill No. 55, entitled

A bill to change the name of Ernest Meddau to Ernest McCullough, and to constitute him the heir-at-law of John McCullough, of Genesee county, Michigan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam, Adams, Adsit, Andrews, Atwood, Barnaby, Brockway, Cameron, Chamberlain. Childs, Clement. Climie, Crane, Crofoot, Doty, Edwards, Fenton, Ferris, Garrison, Gibson, C. B. Grant, Gorman,	Mr. Green, Greusel, Haack, Harris, J. Haynes, N. R. Hill, S. W. Hill, Holland, Houseman. Huff, Hughes, Hurlbut, Kellogg, Knapp, Lamb, Little, McGonegal, E. R. Miller, R. C. Miller, Minne, W.H.C. Mitchell.	Mr. Moshier, Norris, C. Y. Osburn, J. M. Osborn, Pattengell, Phillips, Priest, Riford, Rood, Roof, Roost, Runyan, Sumner, Swineford. Thayer, Van Scoy, Walton, Webster, White, Williams, Speaker <i>pro tem.</i> , 64
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NAYS.

Mr. Garfield,	Mr. Gillam,	2
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Title agreed to.

On motion of Mr. Cameron,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 158, entitled

A bill to provide for the laying out and establishing a State road in the county of Sanilac,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. R. C. Miller,
Adams,	Green,	W.H.C. Mitchell,
Adsit,	Haack,	Moshier,
Andrews,	Harris,	Norris,
Atwood,	J. Haynes,	C. Y. Osburn,
Barnaby,	N. R. Hill,	Pattengell,
Brockway,	S. W. Hill,	Phillips,
Brown,	Holland,	Priest,
Cameron,	Houseman,	Riford,
Chamberlain,	Hoyt,	Rood,
Clement,	Huff,	Roof,
Climie,	Hughes,	Roost,
Copley,	Hurlbut,	Runyan,
Crofoot,	Kellogg,	Sumner,
Doty,	Knapp,	Swineford,
Edwards,	Lamb,	Thayer,
Fenton,	Little,	Tobey,
Ferris,	McGonegal,	Van Scoy,
Garrison,	E. R. Miller.	Speaker <i>pro tem.</i> ,
Gillam,	N. L. Miller,	59

NAYS.

Mr. Cherry,	Mr. Gibson,	Mr. Walton,
Childs,	Gorman,	Webster,
Crane,	Greusel,	White,
Ferry,	Minne,	Williams,
Garfield,	J. M. Osborn,	14

Title agreed to.

Senate bill No. 89, entitled

A bill to authorize the adoption by Gilbert M. Hasty and Sabina D. Hasty, of an infant female child, and to constitute her their heir-at-law,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gibson,	Mr. R. C. Miller,
Adams,	Gillam,	Minne,
Andrews,	R. J. Grant,	W.H.C.Mitchell,
Atwood,	Green,	Moshier,
Barnaby,	Haack,	Norris,
Brockway,	Harris,	C. Y. Osburn,
Brown,	J. Haynes,	Pearl,
Cameron,	N. R. Hill,	Phillips,
Chamberlain,	S. W. Hill,	Priest,
Cherry,	Holland,	Riford,
Childs,	Houseman,	Rood,
Clement,	Hoyt,	Roof,
Olimie,	Huff,	Runyan,
Copley,	Hughes,	Sumner,
Crofoot,	Hurlbut,	Thayer,
Doty,	Kellogg,	Tobey,
Edwards,	Knapp,	Van Scoy,
Fenton,	Little,	Walton,
Ferris,	McGonegal,	Webster,
Ferry,	E. R. Miller,	Speaker <i>pro tem.</i> ,
Garrison,	N. L. Miller,	

NAYS.

Mr. J. M. Osborn.

1

Title agreed to.

Senate bill No. 112, entitled

A bill to provide for the laying out, establishing, and constructing a State road from the Saginaw river westerly to Freeland Station, in the county of Midland, to be known as the Kochville and Freeland Station State road,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. C. B. Grant.	Mr. R. C. Miller,
Adams,	R. J. Grant.	Minne,
Adsit,	Green,	W.H.C.Mitchell,
Andrews,	Haack,	Moshier,
Atwood,	Harris,	Norris,
Barnaby,	J. Haynes.	C. Y. Osburn,
Brockway,	N. R. Hill,	Pearl,
Brown,	S. W. Hill,	Phillips,
Cameron,	Holland,	Priest,

Mr. Chamberlain,	Mr. Houseman,	Mr. Riford,
Childs,	Hoyt,	Rood,
Clement,	Huff,	Roof,
Climie,	Hughes,	Roost,
Copley,	Hurlbut,	Runyan,
Crofoot,	Knapp,	Sumner,
Doty,	Lamb,	Swineford,
Edwards,	Little,	Thayer,
Fenton,	McGonegal,	Tobey,
Garrison,	E. R. Miller,	Van Scoy.
Gibson,	N. L. Miller.	

59

NAYS.

Mr. Cherry,	Mr. Gorman,	Mr. Walton,
Crane,	Greusel,	Webster,
Ferris,	Kellogg,	Williams,
Ferry,	J. M. Osborn,	Speaker <i>pro tem.</i> ,
Garfield,	Pattengell,	

14

The question being on agreeing to the title.

On motion of Mr. Little,

The title was amended by striking out the word "Midland" and inserting the word "Saginaw" in lieu thereof.

The title, as amended, was then agreed to.

On motion of Mr. Little,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 128, entitled

A bill to provide for the incorporation of societies for the promotion of pomology, horticulture, and kindred sciences and arts in the State of Michigan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. Minne,
Adams,	C. B. Grant,	W. H. C. Mitchell,
Adsit,	R. J. Grant,	Moshier,
Andrews,	Green,	Norris,
Atwood,	Haack,	C. Y. Osburn,
Brockway,	Harris,	Pattengell,
Brown,	J. Haynes,	Pearl,
Cameron,	N. R. Hill,	Phillips,

Mr. Chamberlain,	Mr. S. W. Hill,	Mr. Priest,
Childs,	Holland,	Riford,
Clement,	Houseman,	Rood,
Climie,	Hoyt,	Roof,
Copley,	Huff,	Roost,
Crane,	Hughes,	Runyan,
Crofoot,	Hurlbut,	Smith,
Doty,	Knapp,	Sumner,
Fenton,	Lamb,	Thayer,
Ferris,	Little,	Tobey,
Ferry,	McGonegal,	Van Scoy,
Garfield,	E. R. Miller,	Walton,
Garrison,	N. L. Miller,	Webster,
Gibson,	R. C. Miller,	Speaker <i>pro tem.</i> ,

66

NAYS.

Mr. J. M. Osborn,

1

Title agreed to.

On motion of Mr. Pattengell,

By a vote of two-thirds of all the members elect, the bill **was** ordered to take immediate effect.

House bill No. 351, entitled

A bill to amend section 15, of act No. 169, of the session laws of 1869, entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon."

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Copley,	Mr. Garfield,	Mr. J. M. Osborn,
Crane,	Hurlbut,	Pattengell,
Edwards,	W. H. C. Mitchell,	Priest,
Ferris,	Norris,	Swineford,
Ferry,	C. Y. Osburn,	Walton,

15

NAYS.

Mr. Adam,	Mr. R. J. Grant,	Mr. E. R. Miller,
Adams,	Gorman,	N. L. Miller,
Adsit,	Gray,	R. C. Miller,
Andrews,	Green,	Minne,
Brockway,	Greusel,	Moshier,
Brown,	Haack,	Phillips,

Mr. Cameron,	Mr. Harris,	Mr. Riford,
Chamberlain,	N. R. Hill,	Rood,
Cherry,	Holland,	Roost,
Childs,	Houseman,	Runyan,
Clement,	Hoyt,	Smith,
Climie,	Huff,	Sumner,
Doty,	Hughes,	Tobey,
Fenton,	Kellogg,	Van Scoy,
Garrison,	Knapp,	Webster,
Gibson,	Lamb,	Williams,
Gillam,	Little,	Speaker <i>pro tem.</i> ,
C. B. Grant,	McGonegal,	53

Senate bill No. 144, entitled

A bill to provide for giving notice to county treasurers of lists of railroad grant lands which have become taxable,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. R. C. Miller,
Adams,	C. B. Grant,	Minne,
Adsit,	R. J. Grant,	W.H.C. Mitchell,
Andrews,	Gorman,	Moshier,
Atwood,	Gray,	Norris,
Barnaby,	Green,	J. M. Osborn,
Brown,	Greusel,	Pattengell,
Chamberlain,	Haack,	Phillips,
Cherry,	Harris,	Priest,
Childs,	J Haynes,	Riford,
Climie,	N. R. Hill,	Rood,
Copley,	Holland,	Roof,
Crane,	Houseman,	Roost,
Crofoot,	Hoyt,	Runyan,
Doty,	Huff,	Smith,
Edwards,	Hughes,	Swineford,
Fenton,	Hurlbut,	Thayer,
Ferris,	Kellogg,	Van Scoy,
Ferry,	Knapp,	Walton,
Garfield,	Lamb,	Webster,
Garrison,	McGonegal,	Williams,
Gibson,	E. R. Miller,	Speaker <i>pro tem.</i> ,

66

NAYS.

0

Title agreed to.

On motion of Mr. W. H. C. Mitchell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 157, entitled

A bill to amend sections 16, 23, 24, 25, 28, 29, 57, 65, 66, 67, 80, 106, 137, and 139, of chapter 58, of the revised statutes of 1846, being sections 2252, 2264, 2267, 2268, 2271, 2282, 2300, 2308, 2309, 2311, 2370, and 2380, of the compiled laws; also, section 2384, of the compiled laws, as amended by an act approved April 3, 1866; also, section 4 of an act approved March 26, 1867, amending an act to establish graded and high schools, approved February 14, 1859; also, section 2411, of the compiled laws, the same being section 13, of an act for the relief of school districts, approved February 7, 1855,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gibson,	Mr. R. C. Miller,
Adams,	Gillam,	W. H. C. Mitchell,
Adsit,	C. B. Grant,	Norris,
Andrews,	R. J. Grant,	C. Y. Osburn,
Barnaby,	Gorman,	J. M. Osborn,
Brockway,	Gray,	Pearl,
Brown,	Green,	Pattengell,
Cameron,	Greusel,	Phillips,
Chamberlain,	Haack,	Priest,
Cherry,	Harris,	Riford,
Childs,	J. Haynes,	Rood,
Climie,	N. R. Hill,	Roof,
Copley,	Holland,	Roost,
Coulter,	Houseman,	Runyan,
Crane,	Huff,	Smith,
Crofoot,	Hughes,	Sumner,
Doty,	Hurlbut,	Thayer,
Edwards,	Kellogg,	Tobey,
Fenton,	Lamb,	Van Scoy,
Ferris,	Little,	Webster,
Ferry,	McGonegal,	White,
Garfield,	E. R. Miller,	Speaker <i>pro tem.</i> ,
Garrison,	N. L. Miller,	

NAYS.

Mr. Knapp,
Minne,

Mr. Walton,

Mr. Williams,

4

Title agreed to.

On motion of Mr. W. H. C. Mitchell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 156, *Yates' bill*.

A bill to authorize the dissolution of mining and manufacturing companies organized under chapter 63, of the compiled laws, and the acts amendatory thereof, in certain cases, and for the distribution of the assets thereof among the stockholders thereof,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams.
Adsit,
Andrews,
Barnaby,
Brockway,
Brown,
Cameron,
Childs,
Clement.
Climie,
Copley,
Coulter,
Crofoot,
Doty,
Edwards.
Fenton,

Mr. Ferry,
Garfield,
Garrison,
Gibson,
C. B. Grant,
R. J. Grant,
Gray,
Haack
J. Haynes,
N. R. Hill,
Houseman,
Huff,
Hughes,
Hurlbut
Knapp,
Little,

Mr. McGonegal,
E. R. Miller,
R. C. Miller,
Norris,
J. M. Osborn,
Pearl,
Pattengell,
Phillips,
Priest,
Roost,
Smith,
Sumner,
Thayer,
Tobey,
Webster,
Speaker *pro tem.*,

48

NAYS.

Mr. Adam,
Chamberlain,
Cherry,
Crane,
Ferris,
Gillam,
Gorman,
Green,

Mr. Greusel,
Harris,
Holland,
Hoyt,
Kellogg,
Lamb,
N. L. Miller,
Minne,

Mr. Rood,
Roof,
Runyan,
Van Scoy,
Walton,
White,
Williams,

23

Mr. Holland moved to reconsider the vote by which the House refused to pass the bill;

Which motion prevailed.

On motion of Mr. Adam,

The bill was laid on the table.

House bill No. 354, entitled

A bill to amend section 27, of chapter 141, of the compiled laws, as enacted by act No. 160, of the session laws of 1861, relative to the service of process on railroad corporations in garnishee cases,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Pattengell,

The bill was recommitted to the committee on judiciary.

House bill No. 352, entitled

A bill to establish and construct a ditch in the townships of Gilford, in Tuscola county, Blumfield, in Saginaw county, and Portsmouth, in Bay county, and making an appropriation of non-resident highway taxes for the same,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. R. C. Miller,
Adams,	Gray,	Minne,
Adsit,	Green,	W.H.C. Mitchell,
Andrews,	Greusel,	Moshier,
Brockway,	Haack,	Phillips,
Brown,	Harris,	Priest,
Clement,	J. Haynes,	Rood,
Climie,	Holland,	Roof,
Copley,	Houseman,	Runyan,
Doty,	Hoyt,	Smith,
Edwards,	Hurlbut,	Sumner,
Fenton,	Knapp,	Thayer,
Garrison,	Lamb,	Tobey,
Gibson,	Little,	Van Scoy
Gillam,	McGonegal,	Speaker <i>pro tem.</i> ,
C. B. Grant,	N. L. Miller,	

NAYS.

Mr. Cameron,	Mr. Ferry,	Mr. J. M. Osborn,
Chamberlain,	Garfield,	Pattengell,
Cherry,	Gorman,	Pearl,
Childs,	Huff,	Roost,
Coulter,	Kellogg,	Walton,
Crane,	Norris,	Webster,
Ferris,	C. Y. Osburn,	Williams, 21

On motion of Mr. C. Y. Osburn,

The vote by which the House refused to pass the bill was reconsidered.

On motion of Mr. C. Y. Osburn,

The bill was laid on the table.

House bill No. 356, entitled

A bill to amend act number 138, of the session laws of A. D. 1867, being an act entitled "An act to amend section 1. of chapter 70, of the revised statutes of 1846, being section 2877, of chapter 94, of the compiled laws, entitled 'Of the administration and distribution of estates of deceased persons,'"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Garfield,	Mr. E. R. Miller,
Adams,	Gibson,	R. C. Miller,
Adsit,	Gillam,	W.H.C. Mitchell,
Bockway,	C. B. Grant,	Moshier,
Brown,	R. J. Grant,	Norris,
Cameron,	Gorman,	C. Y. Osburn,
Chamberlain,	Gray,	J. M. Osborn,
Cherry,	Green,	Pattengell,
Childs,	Greusel,	Priest,
Clement,	Haack,	Rood,
Climie,	Houseman,	Roof,
Copley,	Hoyt,	Roost,
Coulter,	Huff,	Sumner,
Crofoot,	Hurlbut,	Thayer,
Doty,	Kellogg,	Tobey,
Edwards,	Knapp,	Walton,
Fenton,	Lamb,	Webster,

Mr. Ferris,
Ferry,

Mr. Little,
McGonegal,

Mr. Williams,
Speaker *pro tem.*,

57

NAYS.

0

Title agreed to.

On motion of Mr. J. M. Osborn,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 114, entitled

A bill to amend section 17, of chapter 130, of the revised statutes of 1846, the same being section 5193 of the compiled laws, relative to the foreclosure of mortgages by advertisement,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Adsit,
Barnaby,
Brockway,
Brown,
Cameron,
Chamberlain,
Cherry,
Childs,
Clement,
Climie,
Copley,
Coulter,
Crane,
Crofoot,
Doty,
Edwards,
Fenton,
Ferris,
Ferry,
Garfield,

Mr. Garrison,
Gibson,
Gillam,
C. B. Grant,
R. J. Grant,
Gorman,
Gray,
Green,
Greusel,
Haack,
J. Haynes,
N. R. Hill,
Houseman,
Hoyt,
Huff,
Hughes,
Kellogg,
Knapp,
Lamb,
Little,
McGonegal,
E. R. Miller,

Mr. N. L. Miller,
R. C. Miller,
W.H.C. Mitchell.
Moshier,
Norris,
C. Y. Osborn,
J. M. Osborn,
Pearl,
Pattengell,
Phillips,
Priest,
Rood,
Roof,
Roost,
Sumner,
Thayer,
Tobey,
Van Scoy,
Walton,
Webster,
Williams,
Speaker *pro tem.*,

66

NAYS.

0

Title agreed to.

Senate bill No. 132, entitled

A bill to amend section 3, of chapter 149, of the revised statutes of 1846, being section 5597 of the compiled laws, relative to costs and the recovery and taxation thereof in civil cases,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Garrison,	Mr. N. L. Miller,
Adams,	Gibson,	R. C. Miller,
Adsit,	Gillam,	W.H.C. Mitchell,
Barnaby,	R. J. Grant,	Moshier,
Brockway,	Gorman,	Norris,
Brown,	Gray,	C. Y. Osburn,
Cameron,	Green,	J. M. Osborn,
Chamberlain,	Haack,	Pearl,
Cherry,	J. Haynes,	Pattengell,
Childs,	N. R. Hill,	Phillips,
Clement,	Holland,	Priest,
Climie,	Houseman,	Rood,
Copley,	Hoyt,	Roof,
Coulter,	Huff,	Runyan,
Crane,	Hughes,	Sumner,
Crofoot,	Hurlbut,	Thayer,
Doty,	Kellogg,	Van Scoy,
Edwards,	Knapp,	Walton,
Fenton,	Lamb,	Webster,
Ferris,	Little,	Williams,
Ferry,	McGonegal,	Speaker <i>pro tem.</i> ,
Garfield,	E. R. Miller,	65

NAYS.

Mr. C. B. Grant,	Mr. Roost,	Mr. Tobey,
Greusel,		

4

Title agreed to.

On motion of Mr. J. Haynes,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 117, entitled

A bill to repeal section 2, of an act entitled "An act to amend chapter 123, of the revised statutes of 1846, being section 5002 of the compiled laws,"

Was read a third time. and, pending the taking of the vote on the passage thereof,

Mr. Adams moved to recommit the bill to the committee on judiciary ;

Which motion prevailed.

Senate bill No. 129, entitled

A bill to confirm the title to lot 1, of block 96, of the city of Lansing, in "St. Paul's Episcopal church" of said city of Lansing, and to authorize said society to dispose of the same,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. C. B. Grant,	Mr. N. L. Miller,
Adams,	R. J. Grant.	R. C. Miller,
Andrews,	Gorman,	W.H.C. Mitchell,
Brockway,	Gray,	Moshier,
Brown,	Green,	Norris,
Cameron,	Greusel,	C. Y. Osborn,
Chamberlain,	Haack,	J. M. Osborn,
Cherry,	J. Haynes,	Pattengell,
Childs,	N. R. Hill,	Phillips,
Clement,	S. W. Hill,	Priest,
Climie,	Holland,	Rood,
Crane,	Houseman,	Roof,
Crofoot,	Hoyt,	Runyan,
Doty,	Huff,	Sumner,
Edwards,	Hughes,	Thayer,
Fenton,	Hurlbut,	Tobey,
Ferris,	Knapp,	Van Scoy,
Ferry,	Lamb,	Walton,
Garfield,	Little,	Williams,
Garrison,	McGonegal,	Speaker, <i>pro tem</i> ,
Gillam,	E. R. Miller,	62

NAYS.

0

Title agreed to.

On motion of Mr. Brockway,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 357, entitled

A bill to provide for the division of the township of Plym-

outh, Wayne county, into two election districts, for general election purposes,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Pattengell moved to amend the bill by striking out section 3 and inserting the following in lieu thereof:

"SEC. 3. The said boards of election in each election district shall conduct said elections in such a manner as the law now provides; and after having counted the votes and announced the result as the law directs, that election board of which the clerk is member shall elect one of their number to take charge of the ballot-box and returns of said election district, and deliver the same to that board of which the supervisor is member, and said township board shall then make their returns to the board of county canvassers, in such manner as the law now provides."

Also, by adding the following to section 4:

"*Provided*, Nothing in this act shall be construed to deprive any one of his right to vote by reason of his removal from one election district to the other within ten days previous to said general election ;"

Which motion prevailed.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. C. B. Grant,	Mr. R. C. Miller,
Adams,	R. J. Grant.	W.H.C. Mitchell,
Adsit,	Gorman.	Moshier,
Andrews,	Gray,	Norris,
Barnaby,	Green,	C. Y. Osburn,
Brockway,	Greusel,	J. M. Osborn,
Brown,	Haack,	Pattengell.
Cameron.	J. Haynes,	Phillips.
Chamberlain,	N. R. Hill,	Priest,
Cherry,	S. W. Hill,	Rood,
Childs,	Holland,	Roost,
Clement,	Houseman,	Runyan,
Copley,	Hoyt,	Smith,
Coulter.	Huff,	Sumner,
Crane,	Hughes.	Thayer,

Mr. Crofoot,	Mr. Hurlbut,	Mr. Tobey,
Doty,	Kellogg,	Van Scoy,
Edwards.	Knapp,	Walton,
Fenton.	Lamb,	Webster,
Ferris,	Little,	Williams,
Gibson,	McGonegal,	Speaker <i>pro tem.</i> ,
Gillam,	E. R. Miller.	65

NAYS.

Mr. Garfield,

1

Title agreed to.

On motion of Mr. Pattengell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 358, entitled

A bill to provide for the constructing of a State road from Bad-Axe, in Huron county, to a point in town 12 north, of range 12 east, in Sanilac county,

Being under consideration,

On motion of Mr. Thayer,

The bill was laid on the table.

House bill No. 360, entitled

A bill to lay out and establish a State road from Beechville, in the county of Lapeer, to the town of Marathon, in said county, and making an appropriation of State swamp lands for the same,

Being under consideration.

On motion of Mr. Lamb,

The bill was laid on the table.

House bill No. 361, entitled

A bill to lay out and establish a State road from the village of Cheboygan, in the county of Cheboygan, to Little Traverse Bay, in Emmet county,

Being under consideration,

On motion of Mr. E. R. Miller,

The bill was laid on the table.

MOTIONS AND RESOLUTIONS.

Mr. Greusel moved to take from the table House bill No. 372, entitled

A bill to amend sections 32 and 33, of an act entitled "An act to amend an act entitled 'An act further to preserve the purity of elections, and guard against the abuses of the elective franchise, by a registration of electors,' approved February 14, 1859 ;"

Which motion prevailed.

The question being on the passage of the bill,

The bill was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. McGonegal,
Adams.	C. B. Grant,	E. R. Miller,
Adsit,	R. J. Grant,	N. L. Miller,
Andrews,	Gorman,	R. C. Miller,
Brockway.	Gray,	W.H.C. Mitchell,
Brown,	Green,	Moshier,
Cameron,	Greusel,	Norris,
Chamberlain,	Haack,	C. Y. Osburn,
Cherry,	Harris,	J. M. Osborn,
Childs,	J. Haynes,	Pattengell,
Clement,	N. R. Hill,	Phillips,
Climie,	S. W. Hill,	Priest,
Copley,	Holland,	Roost,
Coulter,	Hoyt,	Smith,
Crane,	Huff,	Sumner,
Crofoot,	Hughes,	Thayer,
Ferris,	Hurlbut,	Tobey,
Ferry,	Kellogg,	Walton,
Garfield,	Knapp,	Williams,
Garrison,	Lamb,	Speaker <i>pro tem.</i> ,
Gibson,		61

NAYS.

Mr. Edwards,	Mr. Pearl,	Mr. Runyan,
Little,	Rood,	Van Scoy,
		6

The question being on agreeing to the title,

On motion of Mr. Hoyt,

The title was amended so as to read as follows:

A bill to amend recited sections 32 and 33, of act No. 32, of the laws of 1864, entitled "An act to amend an act entitled 'An act to further preserve the purity of elections, and guard against the abuses of the elective franchise, by a registration of electors,' approved February 14, 1859," approved February 5, 1864, and to add a new section thereto.

The title, as amended, was then agreed to.

On motion of Mr. Greusel,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Climie offered the following:

Resolved by the House of Representatives (the Senate concurring), that the Secretary of State be directed to forward to each supervisor one copy of all general acts which are ordered to take immediate effect, in addition to the copies already requested to be forwarded to the supreme and circuit judges and county clerks.

On motion of Mr. Climie,

The rules were suspended, and the resolution was adopted.

Mr. Hoyt moved to discharge the committee of the whole from the further consideration of House bill No. 122, entitled

A bill to amend section 1, of act No. 162, laws of 1851, being "An act to provide the furnishing of fuel and stationery for the use of the State, and also the State printing and binding," approved June 24, 1851;

On motion of Mr. Hoyt,

The bill was referred to the committee on ways and means.

GENERAL ORDER.

On motion of Mr. Barnaby,

The House went into committee of the whole on the general order,

Mr. Holland in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolution :

House joint resolution No. 25, entitled

Joint resolution to provide for the delivery of the railroad bonds in the office of the State Treasurer ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bills :

1. House bill No. 362, entitled

A bill to provide for laying out, establishing, and constructing the Harrisville and Grand Traverse State road, and making an appropriation of State swamp lands for the construction of the same ;

2. House bill No. 364, entitled

A bill authorizing the State Treasurer to deliver the railroad bonds to the township or city depositing the same ;

3. House bill No. 366, entitled

A bill to provide for the drainage and reclamation of swamp land by means of a State road and ditches from the head of the east arm of Grand Traverse Bay to O. E. Clark's, on the Midland City, Houghton Lake and Traverse Bay State road ;

4. House bill No. 368, entitled

A bill to provide for the drainage and reclamation of swamp lands by means of a State road and ditches from Sherman, in Wexford county, to Bear Lake, in Manistee county ;

5. Senate bill No. 97, entitled

A bill to provide for repairing the State Prison, and for making certain additions and repairs thereto ;

6. Senate bill No. 141, entitled

A bill to provide for the payment of the salaries of the military officers of the State ;

7. Senate bill No. 127, entitled

A bill to amend section 1, of an act entitled " An act to de-

fine certain offenses affecting railroads, and to provide punishment for the same," approved April 5, 1869, and to add a new section thereto, to stand as section 7 :

8. Senate bill No. 147, entitled

A bill to authorize the city of East Saginaw to purchase or build and maintain a bridge across the Saginaw river :

9. Senate bill No. 148, entitled

A bill to grant and surrender the rights, franchises, and interests of the State of Michigan in and to the Bay City and Tuscola county plank road, to the Bay City, Watrousville and Vassar plank road company :

10. Senate bill No. 98, entitled

A bill to amend an act entitled "An act to incorporate the village of Portsmouth," approved March 24, 1869, being act number 347, of the session laws of 1869 :

11. House bill No. 370, entitled

A bill to incorporate the village of Negaunee, under a special charter ;

12. House bill No. 373, entitled

A bill to amend act No. 187, of session laws of 1859, being section 5644, of compiled laws, and to repeal act No. 15, of session laws of 1862, and act No. 79, of session laws of 1863. relative to estates of deceased persons :

13. House bill No. 374, entitled

A bill to provide for the construction of a drain in the township of Whiteford, county of Monroe, and making an appropriation of swamp lands to aid in the construction of the same ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill :

14. House bill No. 363, entitled

A bill to amend section one, of act No. 467, of the laws of

1869, entitled "An act to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, from Tawas Bay, in Iosco county, to the west line of said county, to the intersection of the Midland and Traverse Bay State road :"

And have directed their chairman to report the same back to the House, with the recommendation that it be recommitted to the committee on public lands.

The committee of the whole have also had under consideration the following entitled bill :

15. House bill No. 365, entitled

A bill to provide for the construction of a bridge across the Aux Bec Scies Lake, in Benzie county, at the point where the Manistee and Leeland State road crosses said lake, and making an appropriation of swamp land to construct said bridge ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

CHAS. E. HOLLAND, *Chairman*.

Report accepted and committee discharged.

The joint resolution and the first thirteen named bills were placed on the order of third reading.

On motion of Mr. Adam,

The House concurred in the recommendation of the committee in regard to the fourteenth named bill, and it was referred to the committee on public lands.

On motion of Mr. Rood,

The House concurred in the amendments made to the fifteenth named bill by the committee, and it was placed on the order of third reading.

On motion of Mr. Riford,

The House adjourned.

Lansing, Friday, April 7, 1871.

The House met pursuant to adjournment, and was called to order by the Speaker *pro tem.* elect.

Prayer by Rev. Mr. Straub.

Roll called: quorum present.

Absent without leave: Messrs. Congdon and Webster.

Mr. Holt asked and obtained leave of absence for the Speaker indefinitely, on account of sickness.

Mr. Andrews asked and obtained leave of absence for Mr. Webster for the day.

Mr. Childs asked and obtained leave of absence for Mr. Congdon for the day.

PRESENTATION OF PETITIONS.

By Mr. J. Haynes: Petition of Fisher, Booth & Co., and 35 others, praying for an appropriation of swamp lands for the improvement of the Duncan and Alpena State road;

Referred to the committee on public lands.

REPORTS OF STANDING COMMITTEES.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 177, being

A bill to prohibit railroad companies from being engaged or interested in draying or carting goods or freight to and from their depots or stations, whose lines of railroad extend one hundred miles or more in length,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

J. M. OSBORN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brown,

The bill was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was recommitted House bill No. 272, entitled

A bill to provide for the incorporation and charter of children's banking associations,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

W. D. GARRISON, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. N. L. Miller,

The bill was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend sections 4 and 13, of article 2, of the charter of the village of Midland City,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

J. M. OSBORN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Chamberlain,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker *pro tem.* announced the following :

SENATE CHAMBER,)
Lansing, April 6, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following concurrent resolution :

Resolved by the House of Representatives (the Senate concurring), That the two branches of the Legislature will meet in joint convention on Thursday, the 6th day of April inst., at half-past 2 o'clock P. M., to act upon such nominations as the Governor may be prepared to make to such joint convention;

And to inform the House that the Senate has amended the same by striking out the words "Thursday, the 6th day of April inst., at half-past 2 o'clock P. M.," and inserting in place thereof the words "Tuesday, the 11th day of April inst., at 10½ o'clock A. M.:"

In the passage of which, as thus amended, the Senate has concurred.

Very respectfully,

HENRY S. SLEEPER,
Secretary of the Senate.

On motion of Mr. Holt,

The House concurred in the amendment made to the resolution by the Senate.

The Speaker also announced the following:

SENATE CHAMBER,)
Lansing, April 7, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following: Senate manuscript bill, entitled

A bill to amend sections 4, 36, 69, and 70, of an act entitled "An act to incorporate the city of Charlotte," approved March 29, 1871;

Which has passed the Senate by a majority vote of all the

Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was read a first and second time by its title, and,

On motion of Mr. Montgomery,

The rule requiring the second and third reading of bills to be on different days was suspended, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. Moshier,
Adams,	C. B. Grant,	Norris,
Andrews,	R. J. Grant,	C. Y. Osburn.
Atwood,	Gorman,	J. M. Osborn,
Barnaby,	Green,	Pattengell.
Brown,	Haack,	Pearl,
Chamberlain.	Harris,	Priest,
Cherry,	J. Haynes,	Rood,
Clement.	N. R. Hill,	Roof,
Climie,	S. W. Hill.	Roost.
Copley,	Holland,	Ross,
Coulter.	Holt,	Runyan.
Crane,	Houseman,	Smith,
Crofoot,	Hoyt,	Sumner.
Doty,	Huff,	Swineford.
Edwards.	Hughes,	Thayer.
Fenton,	Knapp,	Tobey,
Ferris,	Lamb,	Van Scoy.
Ferry,	E. R. Miller.	Walton,
Garfield,	N. L. Miller,	Webster.
Garrison.	Minne,	Speaker <i>pro tem.</i> ,
Gibson,	Montgomery.	65

NAYS.

0

Title agreed to.

On motion of Mr. Montgomery,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

THIRD READING OF BILLS.

House bill No. 362, entitled

A bill to provide for laying out, establishing, and constructing the Harrisville and Grand Traverse State road, and making an appropriation of State swamp lands for the construction of the same,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. J. Haynes moved to amend the bill by inserting in the blank in line 1, section 1, the name of "Charles P. Reynolds," and the name of "Charles H. Estes" in the blank in line 2, section 1 ;

Which motion prevailed.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Holland,	Mr. J. M. Osborn,
Adsit,	Houseman,	Pattengell,
Andrews,	Hoyt,	Pearl,
Barnaby,	Huff,	Phillips,
Clement,	Hughes,	Priest,
Climie,	Hurlbut,	Rood,
Copley,	Kelogg,	Roof,
Crofoot,	Little,	Roost,
Doty,	McGonegal,	Runyan,
Fenton,	R. C. Miller,	Sumner,
R. J. Grant,	W.H.C. Mitchell,	Swineford,
Harris,	Montgomery,	Thayer,
S. W. Hill,	Norris,	Speaker <i>pro tem.</i> ,

39

NAYS.

Mr. Adam,	Mr. Garrison,	Mr. E. R. Miller,
Cameron,	Gibson,	N. L. Miller,
Chamberlain,	Gillam,	Minne,
Cherry,	Gorman,	Riford,
Childs,	Green,	Smith,
Coulter,	Haack,	Van Scoy,

Mr. Crane,	Mr. J. Haynes,	Mr. Walton,	
Ferris,	N. R. Hill,	White,	
Ferry,	Knapp,	Williams,	
Garfield,	Lamb,		29

Mr. J. Haynes moved to reconsider the vote by which the House refused to pass the bill ;

Which motion prevailed.

On motion of Mr. Little,

The bill was laid on the table.

House bill No. 364, entitled

A bill authorizing the State Treasurer to deliver the railroad bonds to the township or city depositing the same,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. E. R. Miller moved to amend the bill by inserting in line 9, section 1, after the word "bonds," the words "to their satisfaction ;"

Pending which,

On motion of Mr. Riford,

The bill was referred to the committee on judiciary.

House bill No. 365, entitled

A bill to provide for the construction of a bridge across the Aux Bec Scies Lake, in Benzie county, at the point where the Manistee and Leeland State road crosses said lake, and making an appropriation of swamp land to construct said bridge,

Being under consideration,

On motion of Mr. W. H. C. Mitchell,

The bill was recommitted to the committee on public lands.

House bill No. 366, entitled

A bill to provide for the drainage and reclamation of swamp land by means of a State road and ditches from the head of the east arm of Grand Traverse Bay to O. E. Clark's, on the Midland City, Houghton Lake and Traverse Bay State road.

Being under consideration,

On motion of Mr. W. H. C. Mitchell,

The bill was recommitted to the committee on public lands.
House bill No. 368, entitled

A bill to provide for the drainage and reclamation of swamp lands by means of a State road and ditches from Sherman, in Wexford county, to Bear Lake, in Manistee county.

Being under consideration,

On motion of Mr. W. H. C. Mitchell,

The bill was recommitted to the committee on public lands.
Senate bill No. 97, entitled

A bill to provide for repairing the State Prison, and for making certain additions and repairs thereto,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Smith moved to amend the bill as follows:

Amend section 1 by striking out, in line 1, all after the word "prison" to the word "under," in line 2; also, strike out in line 2, of section 1, the word "said," and put in the place thereof the word "the;" also, strike out in section 4, line 5, the word "such," and insert the word "the;" also, in same section and line, all after the word "agent" to the word "to;" also, in line 6, strike out the word "such," and insert the word "the;" also, in same line, strike out the words "or overseer."

Mr. Hurlbut moved to amend the amendments by adding thereto the following:

Strike out, in line 4 of section 1, after the word "high," the words "estimated cost of same \$30,000," and insert "to be constructed as far as practicable with convict labor;"

Pending which,

On motion of Mr. Smith,

The bill was recommitted to the committee on State Prison.
Senate bill No. 141, entitled

A bill to provide for the payment of the salaries of the military officers of the State,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gibson,	Mr. W.H.C. Mitchell,
Adams,	Gillam,	Montgomery,
Adsit,	C. B. Grant.	Moshier,
Andrews.	R. J. Grant.	Norris,
Atwood,	Green,	C. Y. Osburn,
Brown,	Haack,	J. M. Osborn,
Cameron,	J. Haynes,	Pattengell,
Chamberlain,	S. W. Hill,	Phillips,
Cherry,	Holland,	Priest,
Childs,	Holt,	Riford,
Clement,	Houseman,	Rood,
Climie,	Huff,	Roost,
Copley,	Hughes,	Runyan,
Coulter,	Hurlbut,	Sumner,
Crane,	Kellogg,	Swineford,
Crofoot,	Knapp,	Thayer,
Doty,	Lamb,	Tobey,
Edwards,	Little,	Van Scoy.
Fenton,	McGonegal,	Walton,
Ferris,	E. R. Miller,	White,
Ferry,	N. L. Miller,	Williams,
Garfield,	R. C. Miller,	Speaker <i>pro tem.</i>
Garrison.		67

NAYS.

0

Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 127, entitled

A bill to amend section 1, of an act entitled "An act to define certain offenses affecting railroads, and to provide punishment for the same," approved April 5, 1869, and to add a new section thereto, to stand as section 7,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. Montgomery.
Adams,	C. B. Grant,	Moshier,
Adsit,	R. J. Grant.	Norris,

Mr. Andrews,	Mr. Gorman,	Mr. C. Y. Osburn,
Barnaby,	Green,	J. M. Osborn,
Brown,	Harris,	Pattengell,
Cameron,	J. Haynes,	Pearl,
Chamberlain,	S. W. Hill,	Phillips,
Cherry,	Holland,	Priest,
Childs,	Houseman.	Riford,
Clement,	Hoyt,	Rood,
Climie,	Huff,	Roof,
Coulter,	Hughes,	Roost,
Crane,	Hurlbut,	Runyan,
Crofoot,	Kellogg,	Sumner,
Doty,	Knapp,	Swineford,
Edwards,	Lamb,	Thayer,
Fenton,	Little,	Tobey,
Ferris,	McGonegal,	Van Scoy,
Ferry,	E. R. Miller,	Walton,
Garfield,	N. L. Miller,	White,
Garrison,	R. C. Miller,	Williams,
Gibson,	W.H.C.Mitchell.	Speaker <i>pro tem.</i> ,

69

NAYS.

0

Title agreed to.

Senate bill No. 147, entitled

A bill to authorize the city of East Saginaw to purchase or build and maintain a bridge across the Saginaw river,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Haack moved to amend the bill by adding thereto the following: "*And provided further*, That none of said bonds shall be payable in less than five years nor longer than twenty years from the date thereof;"

Which motion prevailed.

On motion of Mr. Atwood,

The bill was amended by inserting, after the word "interest," in line 1, section 2, the words "which shall not exceed 10 per cent per annum."

The bill was then passed, a majority of all the members lect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. Montgomery,
Adams,	C. B. Grant,	Moshier,
Adsit,	R. J. Grant,	Norris,
Andrews,	Gorman,	C. Y. Osburn,
Atwood,	Green,	J. M. Osborn,
Barnaby,	Haack,	Pattengell.
Brown,	Harris,	Pearl,
Cameron,	J. Haynes,	Phillips.
Cherry,	S. W. Hill,	Priest,
Childs,	Holland,	Riford,
Clement,	Hoyt,	Rood,
Climie,	Huff,	Roof,
Coulter,	Hughes,	Roost,
Crane,	Hurlbut,	Runyan
Crofoot,	Kellogg,	Smith,
Doty,	Knapp,	Sumner,
Edwards,	Lamb,	Swineford,
Fenton,	Little,	Tobey,
Ferris,	McGonegal,	Van Scoy,
Ferry,	E. R. Miller,	Walton,
Garrison,	R. C. Miller,	Speaker <i>pro tem.</i> ,
Gibson,	W.H.C. Mitchell,	65
	NAYS.	0

Title agreed to.

On motion of Mr. Little,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 148, entitled

A bill to grant and surrender the rights, franchises, and interests of the State of Michigan in and to the Bay City and Tuscola county plank road, to the Bay City, Watrousville, and Vassar plank road company,

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Gibson,	Mr. Norris,
Adams,	Gillam,	C. Y. Osburn,
Adsit,	C. B. Grant,	J. M. Osborn,
Andrews,	R. J. Grant,	Pattengell,

Mr. Atwood,	Mr. Gorman,	Mr. Pearl,
Brown,	Gray,	Phillips,
Cameron,	Green,	Pierson,
Chamberlain,	Haack,	Priest,
Cherry,	Harris,	Riford,
Childs,	J. Haynes,	Rood,
Clement,	Holland,	Roof,
Climie,	Huff,	Roost,
Copley,	Hughes,	Runyan,
Coulter,	Hurlbut,	Smith,
Crane,	Kellogg,	Sumner,
Crofoot,	Knapp,	Swineford,
Doty,	Lamb,	Thayer,
Edwards,	Little,	Tobey,
Fenton,	McGonegal,	Van Scoy,
Ferris,	R. C. Miller,	Walton,
Ferry,	W.H.C. Mitchell,	Williams,
Garfield,	Montgomery,	Speaker <i>pro tem.</i> ,
Garrison,	Moshier,	68
	NAYS.	0

Title agreed to.

On motion of Mr. Montgomery,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 98, entitled

A bill to amend an act entitled "An act to incorporate the village of Portsmouth," approved March 24, 1869, being act number 347, of the session laws of 1869,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gibson,	Mr. Montgomery,
Adams,	Gillam,	Moshier,
Adsit,	C. B. Grant,	Norris,
Andrews,	R. J. Grant,	C. Y. Osburn,
Atwood,	Gorman,	J. M. Osborn,
Cameron,	Gray,	Pearl,
Cherry,	Green,	Phillips,
Childs,	Haack,	Priest,
Clement,	Harris,	Riford,
Climie,	J. Haynes,	Rood,
Copley,	Holland,	Roof,

Mr. Coulter,	Mr. Hoyt,	Mr. Roost,
Crane,	Huff,	Smith,
Crofoot,	Kellogg,	Sumner,
Doty,	Knapp,	Swineford,
Edwards,	Little,	Thayer,
Fenton,	McGonegal,	Van Scoy,
Ferris,	E. R. Miller,	Walton,
Ferry,	R. C. Miller,	Williams,
Garfield,	W.H.C. Mitchell,	Speaker <i>pro tem.</i> ,
Garrison,		61
	NAYS.	0

Title agreed to.

On motion of Mr. Moshier,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 370, entitled

A bill to incorporate the village of Negaunee under a special charter,

Being under consideration,

On motion of Mr. Swineford,

The bill was recommitted to the committee of the whole.

House bill No. 373, entitled

A bill to amend act No. 187, of session laws of 1859, being section 5644, of compiled laws, and to repeal act No. 15, of session laws of 1862, and act No. 79, of session laws of 1863, relative to estates of deceased persons,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Adams moved to recommit the bill to the committee on judiciary.

Mr. Atwood moved to amend the motion by instructing the committee to so amend the bill as to repeal the provisions of the law imposing a per centum tax upon the administration of the estates of deceased persons ;

Which motion did not prevail.

The motion to recommit the bill then prevailed.

House bill No. 374, entitled

A bill to provide for the construction of a drain in the

township of Whiteford, county of Monroe, and making an appropriation of swamp lands to aid in the construction of the same,

Being under consideration,

On motion of Mr. Sumner,

The bill was recommitted to the committee on public lands.

MOTIONS AND RESOLUTIONS.

Mr. McGonegal moved to take from the table Senate bill No. 177, entitled

A bill to prohibit railroad companies from being engaged or interested in draying or carting goods or freights to and from their depots or stations, whose lines of railroad extend one hundred miles or more in length;

Which motion did not prevail.

Mr. J. Haynes moved to take from the table House bill No. 362, entitled

A bill to provide for laying out, establishing, and constructing the Harrisville and Grand Traverse State road, and making an appropriation of State swamp lands for the construction of the same;

Which motion prevailed.

On motion of Mr. J. Haynes,

The bill was recommitted to the committee on public lands.

Mr. Chamberlain offered the following:

Resolved, That after to-day the sessions of this House shall commence at half-past 8 o'clock A. M.;

Mr. Swineford moved to amend the resolution by making the hour of meeting 7 o'clock A. M.;

Mr. Adams moved to amend the amendment by making the hour of meeting 6 o'clock A. M.;

Which was accepted.

Mr. E. R. Miller moved to amend the amendment by making the hour of meeting 8 o'clock A. M.;

Which was agreed to.

The resolution, as amended, was then adopted.

GENERAL ORDER.

On motion of Mr. Cameron,

The House went into committee of the whole on the general order,

Mr. Cameron in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 353, entitled

A bill to establish an insurance bureau;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

A. CAMERON, *Chairman*.

Report accepted.

On motion of Mr. Walton,

Leave was granted the committee to sit again.

On motion of Mr. Chamberlain,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker *pro tem*.

Roll called: quorum present.

Mr. Holt, by unanimous consent, moved to discharge the committee of the whole from the further consideration of House bill No. 419, entitled

A bill to amend section 1, of act No. 115, of the session laws of 1861, entitled "An act to amend chapter 23, of the compiled laws, relative to obstructions and encroachments of highways;"

Which motion prevailed.

On motion of Mr. Holt,

The bill was referred to the committee on State affairs.

MESSAGE FROM THE SENATE.

The Speaker *pro tem.*, by unanimous consent, announced the following:

SENATE CHAMBER, }
Lansing, April 7, 1871. {

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 205, entitled

A bill to amend sections 34 and 66, of an act entitled “An act to incorporate the city of Coldwater,” approved February 28, 1861 ;

2. Senate bill No. 212, entitled

A bill to amend sections 6, 14, and 19, of an act entitled “An act to revise and amend an act entitled ‘An act to revise and amend an act entitled An act to incorporate the city of Bay City, approved March 21, 1865,’” being act number 348, of the session laws for the year 1869, approved March 20, 1869 ;

3. Senate manuscript bill, entitled

A bill to amend the charter of the city of Jackson ;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The several named bills were read a first and second time by their titles, and were referred to the committee on banks and incorporations.

GENERAL ORDER.

On motion of Mr. J. Haynes,

The House went into committee of the whole on the general order,

Mr. Cameron in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration the following entitled bills :

1. House bill No. 353, entitled

A bill to establish an insurance bureau ;

2. House bill No. 383, entitled

A bill to aid in the construction of the Tuscola and Saginaw Bay State road, and making an appropriation of State swamp land therefor ;

3. House bill No. 384, entitled

A bill to provide for laying out and establishing the Alpena and Antrim State road, and making an appropriation of State swamp lands for the construction of the same ;

4. House bill No. 386, entitled

A bill to aid in the completion of the Caro and Wells State road, in the county of Tuscola, and making an appropriation of State swamp land for the same ;

5. House bill No. 388, entitled

A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches from Saginaw Bay, in Iosco county, to the west line of said county ;

6. House bill No. 389, entitled

A bill to amend section three, of an act entitled "An act to lay out and establish a State road from Angell's Landing (so called), on section 28, in township 29 north, of range eight west, in the county of Antrim, to the centre of township 29 north, of range 1 west, in the county of Otsego," being act. number 432, of the session laws of 1869, approved April 3d, 1869 ;

7. House bill No. 390, entitled

A bill to provide for the drainage and reclamation of swamp land by means of a State road and ditches, from Sherman, in Wexford county, in an easterly direction, to intersect the Midland City, Houghton Lake, and Traverse Bay State road, in Missaukee county ;

8. House bill No. 391, entitled

A bill to amend section 5, of act No. 259, of the session laws of 1861, entitled "An act to amend an act entitled 'An act to establish graded and high schools,' approved February 14, 1859," being act No. 161, of the session laws of 1859 ;

9. House bill No. 392, entitled

A bill to provide for the construction of a State road from Lapeer, in Lapeer county, to Caro, Tuscola county ;

10. House bill No. 396, entitled

A bill to amend sections 1, 15, 22, 30, 34, 38, 43, and 64, of an act entitled "An act to charter the village of New Baltimore," approved March 23, 1867, as amended by act No. 296, session laws of 1869 ;

11. House bill No. 400, entitled

A bill to amend section 5, of an act entitled "An act to provide for the incorporation of corporation and mutual benefit associations," approved April 3d, 1869, being act number 104, of the session laws of 1869 ;

12. House bill No. 382, entitled

A bill for laying out, establishing, and constructing a State road, to be known as the Cooper and Bloomingdale State road, and making an appropriation of swamp lands for the same ;

13. House bill No. 401, entitled

A bill to amend section 1, of an act entitled "An act to authorize proceedings by garnishment in the circuit courts, and in the district court of the Upper Peninsula," approved March 16th, 1861 ;

14. House bill No. 403, entitled

A bill to amend sections 7 and 8, of an act entitled "An

act to incorporate the village of Lyons," approved March 1st, 1867, and to add a new section thereto ;

15. Senate bill No. 180, entitled

A bill to provide for the publication of lists of claims allowed by the board of county auditors for the county of Wayne ;

16. House bill No. 408, entitled

A bill to provide for the completion and improvement of the Midland and Isabella State road, and making an appropriation of non-resident highway taxes therefor ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills :

17. House bill No. 376, entitled

A bill providing for the construction of a ditch or drain in the townships of Newark and Arcada, in the county of Gratiot, and appropriating State swamp land for the construction of the same ;

18. House bill No. 378, entitled

A bill to provide for the construction of certain drains or ditches in the county of Midland, and making an appropriation of swamp lands to aid in the construction of the same ;

19. House bill No. 379, entitled

A bill to provide for the completion and improvement of the Midland, Houghton Lake, and Grand Traverse State road, and making an additional appropriation therefor ;

20. Senate bill No. 163, entitled

A bill to incorporate the public schools in the city of Battle Creek ;

21. Senate bill No. 149, entitled

A bill to provide for the better protection of human life on railroad trains ;

22. House bill No. 380, entitled

A bill to provide for the drainage and reclamation of swamp lands by means of a State ditch, to be known as the Gilford and Portsmouth ditch ;

23. House bill No. 381, entitled

A bill to provide for the drainage and reclamation of swamp lands, by deepening and improving the outlet of Duck Lake, in township 19 north, of range 6 east, in Bay county ;

24. House bill No. 385, entitled

A bill making an additional appropriation of State swamp land for the construction of the Cass River and Bay City State road ;

25. House bill No. 387, entitled

A bill making an appropriation to complete the State road from Follet & Shoemaker's mill, in the town of Fair Plain, to the village of Greenville, in Montcalm county ;

26. House bill No. 393, entitled

A bill to provide for the drainage and reclamation of swamp lands by means of a State road, to be known as the Big Rapids and Chippewa River State Road ;

27. House bill No. 397, entitled

A bill to prevent the destruction of mink ;

28. House bill No. 398, entitled

A bill to amend an act entitled "An act to provide for the incorporation of slack-water navigation companies for the improvement of rivers in the counties of St. Joseph, Cass, Berrien, and Cheboygan, and defining their powers and duties," approved March 25, 1867 ;

29. House bill No. 399, entitled

A bill to amend chapter 109, of the revised statutes of 1846, in relation to the partition of lands, being chapter 135, of the compiled laws, as amended by act number 70, of the laws of 1863, approved March 7th, 1863, by adding a new section thereto ;

30. Senate bill No. 100, entitled

A bill supplementary to the charter of the city of Detroit, relating to a public park, or other public grounds for the use of said city ;

31. House bill No. 405, entitled

A bill to provide for the payment of the interest on the State debt ;

32. Senate bill No. 90, entitled

A bill to establish the fiscal year for the treasury of this State, to fix the time for the annual report of the State officers, and to provide for the printing and distribution thereof ;

33. Senate bill No. 166, entitled

A bill regulating the responsibility of the agents of insurance companies doing business in this State ;

34. Senate bill No. 183, entitled

A bill to amend an act entitled "An act to amend an act entitled 'An act for the incorporation of insurance companies, and defining their powers and duties,' approved March 28th, 1867," by adding a section thereto, to stand as section 24 ;

35. House bill No. 407, entitled

A bill to establish the salaries of judges of probate ;

36. House bill No. 409, entitled

A bill to vacate one mile of the Detroit river plank road, in the town of Springwells ;

37. House bill No. 410, entitled

A bill to amend section six, of chapter one hundred and forty, of the revised statutes of 1846, being section five thousand three hundred and sixty-six, in chapter 165, of the compiled laws, relative to limitations of personal actions ;

38. Senate bill No. 181, entitled

A bill to authorize the board of supervisors of the county of Manitou to issue the bonds of said county to build county buildings ;

39. Senate bill No. 185, entitled

A bill to amend section thirty, of act number one hundred

sixty-nine, of session laws of eighteen hundred and sixty-nine, being an act to provide for the uniform assessment of property, and for the collection and return of taxes thereon, approved April 6, 1859;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

40. House bill No. 375, entitled

A bill to amend section 5, of an act entitled "An act to provide for the sale of the swamp lands and the reclamation thereof, and to secure the pre-emption of claims of settlers thereon," approved February 4, 1858;

Have directed their chairman to report the same back to the House with the recommendation that it be referred to the committee on State affairs.

The committee of the whole have also had under consideration the following entitled bill:

41. House bill No. 402, entitled

A bill to amend section 3, of act No. 117, of the session laws of 1859, being an act entitled "An act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches," and to add a new section thereto, to stand as section twenty-three;

Have directed their chairman to report the same back to the House, with the recommendation that it be referred to the committee on public lands.

The committee of the whole have also had under consideration the following entitled joint resolution;

1. House joint resolution No. 26, entitled

Joint resolution instructing the Board of State Auditors to issue swamp land certificates in lieu of certain internal improvement land warrants;

Have made sundry amendments thereto, and have directed

their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled joint resolution :

2. House joint resolution No. 27, entitled

Joint resolution submitting an amendment to the constitution of the State, providing that the penal fines collected in townships be applied to the support of the library or the general school fund of said townships ;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

A. CAMERON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pattengell,

The House concurred in the amendments made to the first sixteen named bills, and first named joint resolution by the committee, and they were placed on the order of third reading.

The next twenty-three named bills, and the second named joint resolution were placed on the order of third reading.

On motion of Mr. Adam,

The House concurred in the recommendation of the committee in regard to the fortieth named bill, and it was referred to the committee on State affairs.

On motion of Mr. Thayer,

The House concurred in the recommendation of the committee in regard to the forty-first named bill, and it was referred to the committee on public lands.

On motion of Mr. Pattengell,

The House adjourned.

Lansing, Saturday, April 8, 1871.

The House met pursuant to adjournment, and was called to order by the Speaker *pro tem*.

Roll called: quorum present.

Mr. Adsit asked and obtained leave of absence for Mr. N. R. Hill for the day.

Mr. Kellogg asked and obtained leave of absence for Mr. R. C. Miller.

Mr. R. J. Grant asked and obtained leave of absence for Mr. Houseman for the day.

Mr. Fenton moved that there be a call of the House;
Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs. Cherry, Garrison, Harris, Hughes, Hurlbut, Moshier, Smith, and Swineford.

On motion of Mr. Cameron,

The Sergeant-at-Arms was despatched after the absentees.

Mr. Garfield moved that all further proceedings under the call be dispensed with;

Which motion did not prevail.

The Sergeant-at-Arms announced Mr. Hughes at the bar of the House.

On motion of Mr. E. R. Miller,

Mr. Hughes was admitted within the bar, rendered an excuse, and took his seat.

Mr. E. R. Miller moved that all further proceedings under the call be dispensed with;

Which motion did not prevail.

The Sergeant-at-Arms announced Mr. Moshier at the bar of the House.

On motion of Mr. Chamberlain,

Mr. Moshier was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Cherry at the bar of the House.

On motion of Mr. Garfield,

Mr. Cherry was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Hurlbut at the bar of the House.

On motion of Mr. Ferris,

Mr. Hurlbut was admitted within the bar, rendered an excuse, and took his seat.

On motion of Mr. Garfield,

All further proceedings under the call were dispensed with.

PRESENTATION OF PETITIONS.

By Mr. Haack: Remonstrance of James L. Ketchum and 74 others, merchants of the city of East Saginaw, against any legislation prohibiting railroad companies from being engaged or interested in draying or carting goods or freights to and from their depots, as contained in Senate bill No. 177;

Referred to the committee on banks and incorporations.

By Mr. Fenton: Remonstrance of Wm. H. Maultby, E. A. Dodge, John Winslow, and 30 others, citizens of Cheboygan county, against the organization of any new townships in said county.

The remonstrance was laid on the table.

By Mr. Barnaby: Petition of David Wellinger, J. W. Stedman, J. M. Luther, and 25 others, citizens of Gratiot county, asking for the establishment of an orphan asylum for soldiers' children, and appropriating the State military fund for that purpose;

Referred to the committee on State affairs.

By Mr. Pattengell: Statement of votes given in the township of Hamtramck, Wayne county, Michigan, at the annual township meeting, April 3, 1871, on the question of organizing a police force in said township, as proposed by Senate bill No. 88.

The statement was laid on the table.

REPORTS OF STANDING COMMITTEES.

By the committee on public lands;

The committee on public lands, to whom was referred

A bill to establish a branch State road, to connect the Cass River and Bay City State road with the Forestville State road, in Sanilac county, and making an appropriation of non-resident highway taxes for the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

W. H. C. MITCHELL, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. N. L. Miller,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. W. H. C. Mitchell,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on public lands:

The committee on public lands, to whom was referred Senate bill No. 204, entitled

A bill to amend section 1, of act number 420, session laws of 1867, as amended by act 469, of the session laws of 1869, being an act entitled "An act to make an additional appropriation for the construction of the Midland City, Boughton Lake, and Grand Traverse Bay road," approved April 5, 1869,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

EZRA HAZEN, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on public lands :

The committee on public lands, to whom was recommitted House bill No. 363, entitled

A bill to amend section 1, of act No. 467, of the laws of 1869, entitled "An act to provide for the drainage and reclamation of swamp lands by means of a State road and ditches from Tawas Bay, in Tuscola county, to the west line of said county, to the intersection of the Midland and Traverse Bay State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JOHN HAYNES, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. J. M. Osborn,

The House concurred in the amendment made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations :

The committee on banks and incorporations, to whom was referred Senate bill No. 224, entitled

A bill to provide for laying out and establishing a State road in the county of Houghton,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN HAYNES, *Acting Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations :

The committee on banks and incorporations, to whom was referred Senate bill No. 205, being

A bill to amend sections 34 and 36, of an act entitled "An act to incorporate the city of Coldwater," approved July 28, 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. M. OSBORN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Cherry,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations :

The committee on banks and incorporations, to whom was referred

A bill to incorporate the city of Lowell,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

J. M. OSBORN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Gillam,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate manuscript bill, being

A bill to amend the charter of the city of Jackson,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. M. OSBORN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Smith,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gibson,	Mr. W.H.C. Mitchell,
Adams,	Gillam,	Montgomery,
Adsit,	C. B. Grant,	Moshier,
Andrews,	R. J. Grant,	J. M. Osborn,
Barnaby,	Gorman,	Pearl,
Brockway,	Gray,	Phillips,
Brown,	Green,	Priest,
Chamberlain,	Greusel,	Riford,
Cherry,	Haack,	Rood,
Childs,	J. Haynes,	Roof,
Clement,	Haywood,	Roost,
Climie,	S. W. Hill,	Ross,
Copley,	Holland,	Smith,
Coulter,	Holt,	Sumner,
Crane,	Hoyt,	Thayer,
Crofoot,	Huff,	Tobey,
Doty,	Hughes,	Walker,
Edwards,	Hurlbut,	Walton,
Fenton,	Kellogg,	Webster,

Mr. Ferris,
Ferry,
Garfield,

Mr. Lamb,
McGonegal,
E. R. Miller,

Mr. White,
Speaker *pro tem.*,
65

NAYS.

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Title agreed to.

On motion of Mr. Smith,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on State affairs:

The committee on State affairs, to whom was referred the petition of Edwin Dolph, W. H. Oliver, and 265 others;

Of Rev. J. B. Parmelee, Rev. J. H. McClure, and 55 others;

Of John Strong and 75 others;

Of Rev. H. M. Hicks and 27 others;

Of Charles M. Woodruff and 43 others;

Of H. M. Myers and 40 others;

Of George Adams and 21 others;

Of William Haight and 115 others;

Of Peter Lee and 103 others;

Of R. A. Wilson and 107 others;

Of C. R. Taylor and 11 others;

Of Joel Latson and 101 others;

Of W. M. Steward and 40 others;

Of Henry E. Slocum and 26 others;

Of James Bailey and 18 others;

Of E. Fitzgerald and 40 others;

Of W. S. Truck and 21 others;

Of Uriah Munson and 25 others;

Of C. M. Colburn and 102 others;

Of Albert Jennings and 61 others;

Of Valentine Lee and 28 others;

Of C. A. Bailey and 138 others;

Of William H. Phillips and 43 others;

Of L. N. Brown and 25 others;

Of G. H. Ranger and 11 others;

Of G. H. Strong and 70 others;

Of A. Stewart and 61 others ;
Of W. R. Johnson and 25 others ;
Of J. W. Chilson and 62 others ;
Of B. F. Bradford and 362 others ;
Of N. B. Richardson and 79 others ;
Of W. E. Bryant and 26 others ;
Of H. Higgins and 75 others ;
Of C. H. B. Kellogg and 36 others ;
Of Joseph T. Christian and 113 others ;
Of E. J. Williams and 16 others ;
Of Joseph Davis and 30 others ;
Of Alexander V. Mann and 53 others ;
Of William R. Damon and 91 others ;
Of Hiram Dickinson and 49 others ;
Of C. W. Crocker and 26 others ;
Of F. M. Halfman and 35 others ;
Of A. S. Dyckman and 71 others ;
Of R. L. Howard and 75 others ;
Of G. W. Hughes and 55 others ;
Of S. P. Warner and 40 others ;
Of W. Nelson and 50 others ;
Of H. W. Miles and 20 others ;
Of Dr. J. M. Morris and 75 others ;
Of M. V. Swain and 30 others ;
Of Calvin Clark and 30 others ;

Of B. E. Williams and 50 others, citizens of Michigan, asking that the present prohibitory liquor law of this State be amended so that the penalties be largely increased, and made to apply to the first offense, and compel the attendance of witnesses, and that there be added to the law a provision for payment by the seller or lessee, of damage arising from the conduct of any and all persons who obtain liquor from them or from their premises,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, and recommend that the prayer of the petitioners be granted.

GEO. F. GILLAM, *Acting Chairman.*

Report accepted and committee discharged.

The several petitions were laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 212, entitled

A bill to amend sections 6, 14, and 19, of an act entitled "An act to revise and amend an act entitled 'An act to revise and amend an act entitled An act to incorporate the city of Bay City,'" approved March 21, 1865, being act No. 348 of the session laws of 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. L. ANDREWS, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Holland,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred Senate bill No. 33, entitled

A bill to organize union school district No. 1, of the township of Alpena, in the county of Alpena, and to repeal section 20, of the laws of 1867, being an act to authorize the formation of union school district No. 1, in the township of Alpena, in the county of Alpena,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House without amendment, and recommend that it be referred to the committee of the whole, and ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Pattengell,

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means :

The committee on ways and means, to whom was referred Senate bill No. 53, being

A bill to provide for the payment of the salaries of the State officers ;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Walton,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on ways and means :

The committee on ways and means, to whom was referred Senate joint resolution No. 17, entitled

Joint resolution to authorize the board of State auditors to audit and allow the account of L. M. S. Smith for printing, for the use of the Supreme Court, the pleadings and testimony in the case of the State of Michigan, ex rel. Frank H. White vs. Hermanus Doesburg,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker *pro. tem* announced the following:

SENATE CHAMBER, }
Lansing, April 7, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 321, entitled.

A bill to further amend an act entitled “An act to provide for the construction of train railways,”

And to inform the House that the Senate has amended the same by striking out, in line 1 of section 3, the word “tram” and inserting in place thereof the word “train ;”

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Hoyt moved that the House concur in the amendment made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Adsit,
Atwood,
Barnaby,
Brockway,

Mr. Gillam,
C. B. Grant,
R. J. Grant,
Gray,
Green,
Greusel,

Mr. Moshier,
Norris,
C. Y. Osburn,
Pattengell,
Pearl,
Phillips,

Mr. Brown,	Mr. Haack,	Mr. Priest,
Cameron,	J. Haynes,	Riford,
Chamberlain,	Haywood,	Rood,
Childs,	Holland,	Ross,
Clement,	Holt,	Runyan,
Climie,	Hoyt,	Smith,
Copley,	Huff,	Sumner,
Coulter,	Hurlbut,	Thayer,
Crane,	Kellogg,	Tobey,
Crofoot,	Knapp,	Van Scoy,
Doty,	Lamb,	Walker,
Fenton.	Little,	Walton,
Ferris,	McGonegal,	Webster,
Ferry,	Minne,	Williams,
Garfield,	W.H.C. Mitchell,	Speaker <i>pro tem.</i> ,
Gibson.	Montgomery,	65
	NAYS.	0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER, }
Lansing, April 7, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 216, entitled

A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, from Little Traverse Bay, in the county of Emmet, in an easterly direction, to intersect the Duncan and Alpena State road, at or near the junction of the Crawford Quarry branch with the Duncan and Alpena State road,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on public lands.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }
Lansing, April 7, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 309, entitled

A bill to amend section 7, of chapter 55, of the revised statutes of 1846, being section 2149, in chapter 73, of the compiled laws of the State of Michigan, entitled "General provisions relating to corporations,"

And to inform the House that the Senate has amended the same, by striking out, in line 16 of section 7, the word "two-thirds," and inserting in place thereof the words "a majority;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Adam moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. C. B. Grant,	Mr. C. Y. Osburn,
Adams,	R. J. Grant,	Pattengell,
Adsit,	Gorman,	Pearl,
Atwood,	Gray,	Phillips,
Barnaby,	Green,	Priest,
Brockway,	Greusel,	Riford,
Brown,	Haack,	Rood,
Cameron,	Harris,	Roof,
Chamberlain,	Haywood,	Roost,
Cherry,	S. W. Hill,	Ross,
Childs,	Holland,	Runyan,
Clement,	Holt,	Smith,
Climie,	Huff,	Sumner,
Cochrane,	Hurlbut,	Thayer,

Mr. Copley,	Mr. Kellogg,	Mr. Tobey,
Coulter,	Knapp,	Van Scoy,
Crane,	Lamb,	Walker,
Crofoot,	McGonegal,	Walton,
Doty,	E. R. Miller,	Webster,
Ferris,	N. L. Miller,	White,
Ferry,	Moshier,	Speaker <i>pro tem.</i> ,

63

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

On motion of Mr. Cameron,

The rules were suspended, and he moved that the committee on public lands be directed to report back to the House, without action, House bill No. 402, entitled

A bill to amend section 3, of act No. 117, of the session laws of 1859, being an act entitled "An act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches," and to add a new section thereto, to stand as section 23,

And that the bill be referred to the committee of the whole, and placed on the general order;

Which motion did not prevail.

THIRD READING OF BILLS.

House bill No. 376, entitled

A bill providing for the construction of a ditch or drain in the townships of Newark and Arcada, in the county of Gratiot, and appropriating State swamp land for the construction of the same,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Haack,	Mr. Norris,
Adsit,	Harris,	C. Y. Osburn,
Andrews,	J. Haynes,	J. M. Osborn,
Brown,	Haywood,	Pattengell,
Cherry,	S. W. Hill,	Pearl,
Clement,	Holland,	Pierson,

Mr. Cochran,	Mr. Huff,	Mr. Priest,
Copley,	Kellogg,	Rood,
Crofoot,	Knapp,	Roost,
Doty,	Little,	Runyan,
Fenton,	McGonegal,	Sumner,
Ferry,	N. L. Miller	Swineford,
Garfield,	W.H.C. Mitchell,	Thayer,
Gray,	Montgomery,	Speaker <i>pro tem.</i> ,
		42

NAYS.

Mr. Adam,	Mr. Gillam,	Mr. Phillips,
Atwood,	C. B. Grant,	Riford,
Barnaby,	R. J. Grant,	Ross,
Cameron,	Gorman,	Tobey,
Childs,	Green,	Van Scoy,
Climie,	Greusel,	Walker,
Coulter,	Hughes,	Walton,
Crane,	Lamb,	Webster,
Ferris,	Moshier,	Williams,
		27

On motion of Mr. Barnaby,

The House reconsidered the vote by which it refused to pass the bill.

On motion of Mr. Barnaby,

The bill was laid on the table.

House bill No. 378, entitled

A bill to provide for the construction of certain drains or ditches in the county of Midland, and making an appropriation of swamp lands to aid in the construction of the same,

Being under consideration,

Mr. J. Haynes moved that the bill be recommitted to the committee on public lands;

Pending which,

On motion of Mr. Adams,

The bill was laid on the table.

House bill No. 379, entitled

A bill to provide for the completion and improvement of the Midland, Houghton Lake, and Grand Traverse State road, and making an additional appropriation therefor.

Being under consideration,

Mr. C. B. Grant moved to lay the bill on the table ;

Which motion did not prevail.

The bill was then read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Hurlbut,	Mr. Pattengell,
Barnaby,	Little,	Priest,
Doty,	McGonegal,	Rood,
Gray,	N. L. Miller,	Roof,
Haack,	W.H.C.Mitchell,	Sumner,
Harris,	Montgomery,	Swineford,
J. Haynes,	Moshier,	Thayer,
Haywood,	Norris,	Walker,
Holland,	J. M. Osborn,	Speaker <i>pro tem.</i> ,
Huff,		28

NAYS.

Mr. Adam,	Mr. Ferris,	Mr. E. R. Miller,
Adsit,	Ferry,	Millington,
Brown,	Garfield,	Minne,
Cameron,	Gillam,	Pearl,
Chamberlain,	C. B. Grant,	Pierson,
Cherry,	R. J. Grant,	Riford,
Childs,	Gorman,	Roost,
Clement,	Green,	Ross,
Climie,	Greusel,	Smith,
Cochrane,	Hart,	Tobey,
Copley,	Hoyt,	Van Scoy,
Coulter,	Hughes,	Walton,
Crane,	Kellogg,	Webster,
Crofoot,	Knapp,	Williams,
		42

Senate bill No. 149, entitled

A bill to provide for the better protection of human life on railroad trains,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Cochrane moved to lay the bill on the table ;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. Norris,
Adams,	Gorman,	J. M. Osborn,
Adsit.	Green,	Pattengell,
Andrews,	Greusel,	Pearl,
Barnaby,	Haack,	Phillips,
Brown,	J. Haynes,	Pierson,
Chamberlain,	Haywood,	Priest,
Cherry,	Holland,	Rood,
Childs,	Hoyt,	Roost,
Clement,	Huff,	Ross,
Climie,	Hughes,	Runyan,
Cochrane,	Hurlbut,	Sumner,
Copley,	Kellogg,	Thayer,
Coulter,	Knapp,	Tobey,
Crane,	Lamb,	Van Scoy.
Crofoot.	McGonegal,	Walker,
Ferris,	E. R. Miller,	Walton,
Ferry,	Millington,	Webster,
Garfield,	Minne,	Williams,
C. B. Grant,	Montgomery,	Speaker <i>pro tem.</i> ,
		60

NAYS.

Mr. Atwood,	Mr. Doty,	Mr. Riford,
Cameron,	Hart,	Smith,
		6

Title agreed to.

Mr. Holland moved that there be a call of the House;
Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs. Brockway, Garrison, C. Y. Osburn, Roof, Swineford, and White.

Mr. Montgomery moved that all further proceedings under the call be dispensed with;

Which motion did not prevail.

On motion of Mr. Cameron,

The Sergeant-at-Arms was dispatched after the absentees.

The Sergeant-at-Arms announced Mr. Brockway at the bar of the House.

On motion of Mr. Greusel.

Mr. Brockway was admitted within the bar, rendered an excuse and took his seat.

The Sergeant-at-Arms announced Mr. C. Y. Osburn at the bar of the House.

On motion of Mr. Coulter,

Mr. C. Y. Osburn was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Swineford at the bar of the House.

On motion of Mr. Chamberlain,

Mr. Swineford was admitted within the bar, rendered an excuse, and took his seat.

On motion of Mr. Greusel,

All further proceedings under the call were dispensed with.

House bill No. 353, entitled

A bill to establish an insurance bureau,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. C. B. Grant,	Mr. N. L. Miller,
Adams,	R. J. Grant,	Millington,
Andrews,	Gray,	W.H.C. Mitchell,
Atwood,	Green,	Montgomery,
Barnaby,	Haack,	Norris,
Cameron,	Harris,	C. Y. Osburn,
Chamberlain,	Hart,	J. M. Osborn,
Cherry,	J. Haynes,	Pattengell.
Clement,	Haywood,	Pearl,
Climie,	S. W. Hill,	Phillips,
Cochrane,	Holland,	Pierson,
Coulter,	Holt,	Priest,
Crofoot,	Hoyt,	Riford,
Doty,	Huff,	Runyan,
Edwards,	Hughes,	Smith,
Fenton,	Kellogg,	Sumner,
Ferris,	Knapp,	Swineford,
Ferry,	Lamb,	Van Scoy,
Garfield,	Little,	Speaker <i>pro tem.</i> ,
Gillam,	McGonegal,	59

NAYS.

Mr. Adsit,
Brockway,
Brown,
Childs,
Copley,
Crane,
Gibson,
Gorman,

Mr. Greusel,
Hurlbut,
E. R. Miller,
Minne,
Moshier,
Rood,
Roost,

Mr. Ross,
Thayer,
Tobey,
Walker,
Walton,
Webster,
Williams,

22

Title agreed to.

On motion of Mr. Gray,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 163, entitled

A bill to incorporate the public schools in the city of Battle Creek,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Aduit,
Andrews,
Atwood,
Barnaby,
Brockway,
Brown,
Cameron,
Cherry,
Childs,
Clement,
Climic,
Cochrane,
Copley,
Coulter,
Crane,
Crofoot,
Doty,
Edwards,
Fenton,
Ferris,
Ferry,

Mr. Gillam,
C. B. Grant,
R. J. Grant,
Gorman,
Gray,
Green,
Greusel,
Haack,
Harris,
Hart,
Haywood,
S. W. Hill,
Holland,
Holt,
Hoyt,
Huff,
Hughes,
Hurlbut,
Kellogg,
Knapp,
Lamb,
McGonegal,
E. R. Miller,

Mr. W.H.C. Mitchell,
Montgomery,
Moshier,
C. Y. Osburn,
Pattengell,
Pearl,
Phillips,
Pierson,
Priest,
Riford,
Rood,
Roof,
Roost,
Ross,
Runyan,
Smith,
Sumner,
Swineford,
Tobey,
Van Scoy,
Walker,
Walton,
Webster,

Mr. Garfield,
Gibson,

Mr. N. L. Miller,
Millington,

Mr. White,
Speaker *pro tem.*,
75

NAYS.

0

Title agreed to.

On motion of Mr. Brown,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 280, entitled

A bill to provide for the drainage and reclamation of swamp lands by means of a State ditch, to be known as the Gilford and Portsmouth ditch,

Being under consideration,

On motion of Mr. Adams,

The bill was laid on the table.

House bill No. 381, entitled

A bill to provide for the drainage and reclamation of swamp lands, by deepening and improving the outlet of Duck Lake, in township 19 north, of range 6 east, in Bay county,

Being under consideration,

On motion of Mr. C. Y. Osburn,

The bill was laid on the table.

House bill No. 382, entitled

A bill for laying out, establishing, and constructing a State road, to be known as the Cooper and Bloomingdale State road, and making an appropriation of swamp lands for the same,

Being under consideration,

On motion of Mr. Adams,

The bill was laid on the table.

House bill No. 383, entitled

A bill to aid in the construction of the Tuscola and Saginaw Bay State road, and making an appropriation of State swamp land therefor,

Being under consideration,

On motion of Mr. J. M. Osborn,

The bill was laid on the table.

House bill No. 384, entitled

A bill to provide for laying out and establishing the Alpena and Antrim State road, and making an appropriation of State swamp lands for the construction of the same,

Being under consideration,

On motion of Mr. Swineford,

The bill was laid on the table.

House bill No. 385, entitled

A bill making an additional appropriation of State swamp land, for the construction of the Cass River and Bay City State road,

Being under consideration,

On motion of Mr. Andrews,

The bill was laid on the table.

House bill No. 386, entitled

A bill to aid in the completion of the Caro and Wells State road, in the county of Tuscola, and making an appropriation of State swamp land for the same,

Being under consideration,

On motion of Mr. Riford,

The bill was laid on the table.

House bill No. 387, entitled

A bill making an appropriation to complete the State road from Follet & Shoemaker's mill, in the town of Fair Plain, to the village of Greenville, in Montcalm county,

Being under consideration,

On motion of Mr. Gillam,

The bill was laid on the table.

House bill No. 388, entitled

A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches from Saginaw Bay, in Iosco county, to the west line of said county,

Being under consideration

On motion of Mr. C. B. Grant,

The bill was laid on the table.

House bill No. 389, entitled

A bill to amend section three, of an act entitled "An act to lay out and establish a State road from Angell's Landing (so called), on section 28, in township 29 north, of range eight west, in the county of Antrim, to the centre of township 29 north, of range one west, in the county of Otsego," being act No. 432, of the session laws of 1869, approved April 3d, 1869,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Adam moved to amend the bill by striking out all of section 6 ;

Which motion did not prevail.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Barnaby,	Mr. Huff,	Mr. Rood,
Doty,	Hughes,	Roof,
Fenton,	Hurlbut,	Runyan,
Gibson,	W.H.C. Mitchell,	Sumner,
Haack,	Moshier,	Swineford,
Harris,	Norris,	Thayer,
J. Haynes,	C. Y. Osburn,	Walker,
Haywood,	J. M. Osborn,	Webster,
S. W. Hill,	Pattengell,	Speaker <i>pro tem.</i> ,
Holland,	Phillips,	29

NAYS.

Mr. Adam,	Mr. Crofoot,	Mr. E. R. Miller,
Adams,	Edwards,	N. L. Miller,
Adsit,	Ferris,	Millington,
Andrews,	Ferry,	Minne,
Atwood,	Gillam,	Montgomery,
Brockway,	R. J. Grant,	Pierson,
Brown,	Gorman,	Priest,
Cameron,	Gray,	Riford,
Chamberlain,	Green,	Roost,
Cherry,	Greusel,	Ross,
Childs,	Hart,	Smith,
Clement,	Holt,	Tobey,
Climie,	Hoyt,	Van Scoy,
Cochrane,	Kellogg,	Walton,
Copley,	Knapp,	White,
Coulter,	Lamb,	Williams,
Crane,	McGonegal,	50

Mr. Atwood moved to reconsider the vote by which the House refused to pass the bill;

Which motion prevailed.

On motion of Mr. Atwood,

The bill was recommitted to the committee on public lands.

House bill No. 390, entitled

A bill to provide for the drainage and reclamation of swamp land by means of a State road and ditches, from Sherman, in Wexford county, in an easterly direction, to intersect the Midland City, Houghton Lake, and Traverse Bay State road, in Missaukee county,

Being under consideration,

On motion of Mr. W. H. C. Mitchell,

The bill was laid on the table.

House bill No. 391, entitled

A bill to amend section 5, of act No. 259, of the session laws of 1861, entitled "An act to amend an act entitled 'An act to establish graded and high schools,' approved February 14, 1859," being act No. 161, of the session laws of 1859,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. J. Haynes moved to amend the bill by inserting in line 1, of recited section 5, between the words "organized" and "township," the word "surveyed;"

Which motion did not prevail.

On motion of Mr. Riford,

The bill was recommitted to the committee on education, with instructions to amend by inserting in line 1, recited section 5, between the words "organized" and "township," the word "surveyed," and report forthwith.

The committee on education submitted the following report:

The committee on education, to whom was recommitted House bill No. 391, entitled

A bill to amend section 5, of act No. 259, of the session laws of 1861, entitled "An act to amend an act, entitled An act to

establish graded and high schools,' approved February 14, 1859," being act No. 161, of the session laws of 1859,"

With instructions, respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, amended as instructed, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman*.

Report accepted and committee discharged.

The House concurred in the amendment made to the bill by the committee.

The question being on the passage of the bill,

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. S. W. Hill,	Mr. Pattengell,
Adams,	Holland,	Pearl,
Adsit,	Hoyt,	Phillips,
Barnaby,	Hurlbut,	Priest,
Crane,	McGonegal,	Riford,
Crofoot,	E. R. Miller,	Roof,
R. J. Grant,	N. L. Miller,	Smith,
Greusel,	W.H.O. Mitchell,	Sumner,
Haack,	Montgomery,	Webster,
J. Haynes,	C. Y. Osburn,	White,
Haywood,		

31

NAYS.

Mr. Andrews,	Mr. Garfield,	Mr. Moshier,
Atwood,	Gibson,	Norris,
Brockway,	Gillam,	J. M. Osborn,
Brown,	C. B. Grant,	Pierson,
Cameron,	Gorman,	Rood,
Chamberlain,	Gray,	Roost,
Cherry,	Green,	Ross,
Childs,	Hart,	Runyan,
Clement,	Holt,	Thayer,
Copley,	Huff,	Tobey,
Coulter,	Hughes,	Van Scoy,
Doty,	Kellogg,	Walton,

Mr. Edwards,
Ferris,
Ferry,

Mr. Knapp,
Lamb,

Mr. Williams,
Speaker *pro tem.*,
43

House bill No. 392, entitled

A bill to provide for the construction of a State road from
Lapeer, in Lapeer county, to Caro, Tuscola county,

Being under consideration,

On motion of Mr. Rood,

The bill was laid on the table.

House bill No. 393, entitled

A bill to provide for the drainage and reclamation of swamp
lands by means of a State road, to be known as the Big Rapids
and Chippewa river State road,

Being under consideration,

On motion of Mr. Adam,

The bill was laid on the table.

House bill No. 396, entitled

A bill to amend sections 1, 15, 22, 30, 34, 38, 43, and 64, of
an act entitled "An act to charter the village of New Balti-
more," approved March 23, 1867, as amended by act No. 296,
session laws of 1869,

Was read a third time and passed, a majority of all the mem-
bers elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adsit,
Andrews,
Atwood,
Chamberlain,
Cherry,
Childs,
Clement,
Cochrane,
Copley,
Coulter,
Crane,
Crofoot,
Doty,
Edwards,
Ferris,

Mr. R. J. Grant,
Gorman,
Gray,
Green,
Greusel,
Haack,
Hart,
J. Haynes,
Haywood,
S. W. Hill,
Holland,
Huff,
Hughes,
Hurlbut,
Kellogg,
Knapp,

Mr. Moshier,
Norris,
J. M. Osborn,
Pattengell,
Pearl,
Phillips,
Pierson,
Priest,
Rood,
Roost,
Ross,
Runyan,
Sumner,
Thayer,
Tobey,
Van Scoy,

Mr. Ferry,	Mr. McGonegal,	Mr. Walton,
Garfield,	E. R. Miller,	Webster,
Gibson,	N. L. Miller,	White,
Gillam,	W.H.C. Mitchell,	Williams,
C. B. Grant,	Montgomery,	Speaker <i>pro tem.</i> ,

63

NAYS.

0

Title agreed to.

On motion of Mr. N. L. Miller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 397, entitled

A bill to prevent the destruction of mink,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. Lamb,
Adams,	Gray,	Montgomery,
Atwood,	Green,	Moshier,
Barnaby,	Haack,	Norris,
Brockway,	Harris,	Pattengell,
Brown,	Hart,	Priest,
Chamberlain,	J. Haynes,	Riford,
Childs,	S. W. Hill,	Roof,
Copley,	Holland,	Smith,
Coulter,	Hoyt,	Sumner,
Crofoot,	Huff,	Thayer,
Edwards,	Hughes,	Van Scoy,
Gibson,	Hurlbut,	Walton,
C. B. Grant,	Knapp,	White,

42

NAYS.

Mr. Adsit,	Mr. Gorman,	Mr. Phillips,
Andrews,	Greusel,	Pierson,
Cherry,	Haywood,	Rood,
Clement,	Holt,	Roost,
Cochrane,	Kellogg,	Ross,
Crane,	McGonegal,	Runyan,
Doty,	E. R. Miller,	Tobey,
Ferris,	N. L. Miller,	Webster,
Ferry,	W.H.C. Mitchell,	Williams,
Garfield,	J. M. Osborn,	Speaker <i>pro tem.</i> ,
Gillam,	Pearl,	

32

Mr. Hughes moved to reconsider the vote by which the House refused to pass the bill ;

Which motion prevailed.

On motion of Mr. Riford,

The bill was laid on the table.

House bill No. 398, entitled

A bill to amend an act entitled "An act to provide for the incorporation of slack-water navigation companies for the improvement of rivers in the counties of St. Joseph, Cass, Berrien, and Cheboygan, and defining their powers and duties," approved March 25, 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. W.H.C. Mitchell,
Adams,	C. B. Grant,	Montgomery,
Adsit,	R. J. Grant,	Moshier,
Andrews,	Gorman,	Norris,
Atwood,	Gray,	Pattengell,
Barnaby,	Green,	Pearl,
Brockway,	Haack,	Phillips,
Brown,	Harris,	Pierson,
Cameron,	Hart,	Priest,
Chamberlain,	J. Haynes,	Rood,
Cherry,	Haywood,	Roost,
Childs,	S. W. Hill,	Ross,
Climie,	Holland,	Runyan,
Cochrane,	Holt,	Sumner,
Copley,	Hughes,	Thayer,
Crane,	Kellogg,	Tobey,
Crofoot,	Knapp,	Van Scoy,
Doty,	Lamb,	Walton,
Edwards,	McGonegal,	Webster,
Fenton,	E. R. Miller,	Williams,
Ferris,	N. L. Miller,	Speaker <i>pro tem.</i> ,
Garfield,		64

NAYS.

Mr. Greusel,

Title agreed to.

On motion of Mr. Fenton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 399, entitled

A bill to amend chapter 109, of the revised statutes of 1846, in relation to the partition of lands, being chapter 135, of the compiled laws, as amended by act No. 70, of the laws of 1863, approved March 7, 1863, by adding a new section thereto,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Ferris,	Mr. Lamb,
Adams,	Ferry,	W.H.C. Mitchell,
Adsit,	Garfield,	Montgomery,
Andrews,	Gibson,	Moshier,
Atwood,	Gillam,	Norris,
Barnaby,	C. B. Grant,	J. M. Osborn,
Brockway,	R. J. Grant,	Pattengell,
Brown,	Gorman,	Pearl,
Cameron,	Green,	Phillips,
Chamberlain,	Grensel,	Pierson,
Cherry,	Haack,	Rood,
Childs,	Harris,	Roost,
Clement,	Haywood,	Ross,
Climie,	S. W. Bill,	Runyan,
Cochrane,	Holland,	Smith,
Copley,	Holt,	Sumner,
Coulter,	Hoyt,	Thayer,
Crane,	Huff,	Van Scoy,
Crofoot,	Hughes,	Walton,
Doty,	Hurlbut,	Webster,
Edwards,	Kellogg,	Williams,
Fenton,	Knapp,	Speaker <i>pro tem.</i> ,

67

NAYS.

Mr. Gray,	Mr. McGonegal,	Mr. Priest,
J. Haynes,	N. L. Miller,	

5

Title agreed to.

House bill No. 400, entitled

A bill to amend section 5, of an act entitled "An act to provide for the incorporation of co-operative and mutual benefit

associations," approved April 3, 1869, being act number 104, of the session laws of 1869,

Being under consideration,

On motion of Mr. J. M. Osborn,

The bill was laid on the table.

House bill No. 401, entitled

A bill to amend section 1, of an act entitled "An act to authorize proceedings by garnishment in the circuit courts, and in the district court of the Upper Peninsula," approved March 16, 1861,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Adam,

The bill was amended by striking out, in section 1, line 1, the words "said act," and inserting the following in lieu thereof: "An act entitled 'An act to authorize proceedings by garnishment in the circuit courts, and in the district court of the Upper Peninsula,' approved March 16, 1861."

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gibson,	Mr. W.H.C. Mitchell,
Adams,	Gillam,	Montgomery,
Adsit,	C. B. Grant,	Moshier,
Atwood,	R. J. Grant,	Norris,
Barnaby,	Gorman,	C. Y. Osburn,
Brockway,	Haack,	J. M. Osborn,
Brown,	Harris,	Pattengell,
Cameron,	Hart,	Pearl,
Chamberlain,	J. Haynes,	Phillips,
Cherry,	Haywood,	Riford,
Childs,	S. W. Hill,	Rood,
Clement,	Holland,	Roost,
Climie,	Holt,	Runyan,
Cochrane,	Hoyt,	Smith,
Copley,	Huff,	Sumner,
Coulter,	Hughes,	Thayer,
Doty,	Hurlbut,	Van Scoy,
Edwards,	Knapp,	Walton,

Mr. Fenton, Ferris, Garfield,	Mr. Lamb, McGonegal, E. R. Miller,	Mr. Webster, Williams, Speaker <i>pro tem.</i> ,
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63

NAYS.

0

Title agreed to.

House bill 403, entitled

A bill to amend sections 7 and 8, of an act entitled "An act to incorporate the village of Lyons," approved March 1st, 1867, and to add a new section thereto,.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam, Andrews, Atwood, Barnaby, Brockway, Brown, Cameron, Cherry, Childs, Clement, Climie, Cochrane, Copley, Coulter, Crane, Edwards, Fenton, Gibson, Gillam, C. B. Grant, R. J. Grant,	Mr. Gorman, Gray, Green, Grensel, Haack, Hart, J. Haynes, Haywood, S. W. Hill, Holland, Holt, Hoyt, Huff, Hughes, Kellogg, Lamb, McGonegal, E. R. Miller, N. L. Miller, W.H.C. Mitchell, Montgomery,	Mr. Moshier, Norris, C. Y. Osburn, J. M. Osborn, Pattengell, Pearl, Phillips, Riford, Rood, Roof, Roost, Runyan, Smith, Sumner, Thayer, Tobey, Van Scoy, Walton, Webster, Williams, Speaker <i>pro tem.</i> ,
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63

NAYS.

0

Title agreed to.

On motion of Mr. Roof,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 100, entitled

A bill supplementary to the charter of the city of Detroit, relating to a public park, or other public grounds for the use of said city,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. W.H.C.Mitchell,
Adams,	Gorman,	Montgomery,
Adsit,	Gray,	Moshier,
Andrews,	Green,	Norris,
Atwood,	Greusel,	C. Y. Osburn,
Barnaby,	Haack,	J. M. Osborn,
Brown,	Harris,	Pattengell,
Cameron,	Hart,	Pearl,
Cherry,	J. Haynes,	Phillips,
Childs,	Haywood,	Pierson,
Clement,	S. W. Hill,	Riford,
Climie,	Holland,	Roof,
Cochrane,	Holt,	Roost,
Copley,	Hoyt,	Ross,
Coulter,	Huff,	Runyan,
Crane,	Hughes,	Smith,
Edwards,	Kellogg,	Sumner,
Fenton,	Knapp,	Tobey,
Ferris,	Lamb,	Van Scoy,
Garfield,	McGonegal,	Walton,
Gibson,	E. R. Miller,	Webster,
Gillam,	N. L. Miller,	Williams,
C. B. Grant,	Minne,	Speaker <i>pro tem.</i> ,

69

NAYS.

0

Title agreed to.

House bill No. 405, entitled

A bill to provide for the payment of the interest on the State debt,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gibson,	Mr. W.H.C.Mitchell,
Adams,	Gillam,	Moshier,
Adsit,	C. B. Grant,	Norris,

Mr. Andrews,	Mr. Gorman,	Mr. J. M. Osborn,
Atwood,	Gray,	Pattengell,
Barnaby,	Green,	Pearl,
Brockway,	Greusel,	Phillips,
Brown,	Harris,	Pierson,
Cameron,	Hart,	Riford,
Chamberlain,	S. W. Hill,	Rood,
Cherry,	Holland,	Roof,
Childs,	Holt,	Roost,
Clement,	Hoyt,	Ross,
Climie,	Huff,	Runyan,
Cochrane,	Hughes,	Smith,
Copley,	Hurlbut,	Sumner,
Coulter,	Kellogg,	Tobey,
Crane,	Knapp,	Van Scoy,
Edwards,	Lamb,	Walton,
Fenton,	McGonegal,	Webster,
Ferris,	E. R. Miller,	Williams,
Ferry,	N. L. Miller,	Speaker <i>pro tem.</i> ,
Garfield,	Minne,	68
	NAYS.	0

Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 180, entitled

A bill to provide for the publication of lists of claims allowed by the board of county auditors for the county of Wayne,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Cochrane moved to amend the bill by striking out all of section 1 after the word "Wayne," in line 2, and insert the following in lieu thereof:

"And the clerks of the several boards of supervisors in this State, within ten days after each regular meeting, to prepare an accurate list of all the claims allowed by the said boards respectively, since the last preceding regular meeting, which list shall exhibit the name of each claimant, the consideration or services on which it was allowed, and the exact amount allowed in each case; which lists shall be published within

one week after they are severally prepared, in some newspaper published at the county seat of the proper county; which publication shall be made once a week for three successive weeks. If no newspaper be published at the county seat, then copies of such list shall be posted for three successive weeks in six of the most public places in said county, two of which copies shall be filed at the county seat. The rate of compensation for such publication shall be the same allowed by law on sales for the non-payment of taxes;"

Which motion did not prevail.

Mr. Greusel moved to amend the bill by adding to section 11, the following proviso: "*Provided*, That said publication be printed in one of the German papers, in the German language;"

Which motion did not prevail.

Pending the passage of the bill,

On motion of Mr. Pattingell,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker *pro tem*.

Roll called: quorum present.

The House resumed the order of

THIRD READING OF BILLS.

The question pending being the passage of Senate bill No. 180, entitled

A bill to provide for the publication of lists of claims allowed by the board of county auditors for the county of Wayne.

Mr. Hoyt moved that there be a call of the House;

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs. Clement, Haywood, Huff, Millington, Montgomery, and Thayer.

On motion of Mr. Climie,

Leave of absence was granted to Mr. Millington for the day, on account of sickness.

On motion of Mr. Ross,

Leave of absence was granted to Mr. Thayer for the afternoon.

On motion of Mr. Pattengell,

All further proceeding under the call were dispensed with.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gray,	Mr. N. L. Miller,
Adams,	Green,	W.H.C. Mitchell,
Andrews,	Greusel,	Norris,
Brockway,	Haack,	C. Y. Osburn,
Brown,	Harris,	J. M. Osborn,
Cameron,	Hart,	Pattengell,
Chamberlain,	J. Haynes,	Phillips,
Cherry,	S. W. Hill,	Priest,
Climie,	Holland,	Riford,
Copley,	Holt,	Roost,
Coulter,	Hoyt,	Smith,
Crane,	Hughes,	Swineford,
Crofoot,	Hurlbut,	Tobey,
Ferris,	Kellogg,	Walker,
Ferry,	Knapp,	Walton,
Garfield,	Lamb,	Webster,
Gibson,	McGonegal,	Williams,
C. B. Grant,	E. R. Miller,	Speaker <i>pro tem.</i> ,
R. J. Grant,		55

NAYS.

Mr. Adsit,	Mr. Gillam,	Mr. Pierson,
Atwood,	Gorman,	Rood,
Barnaby,	Little,	Roof,
Childs,	Minne,	Ross,
Cochrane,	Montgomery,	Runyan,
Doty,	Moshier,	Sumner,
Edwards,	Pearl,	White,
Fenton,		22

Title agreed to.

On motion of Mr. Brockway,

The rules were suspended, and he offered the following resolution :

Resolved, That the Auditor General of the State be and he hereby is requested, at his earliest convenience, to inform this House what amount is now due the county of Calhoun as interest from the swamp land fund, on account of lands sold from that county ;

Which was adopted.

Senate bill No. 90, entitled

A bill to establish the fiscal year for the treasury of the State, to fix the time for the annual report of the State officers, and to provide for the printing and distribution thereof,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Gibson,	Mr. Minne,
Adams,	Gillam,	W.H.C. Mitchell,
Adsit,	Gorman,	Moshier,
Andrews,	Gray,	Norris,
Barnaby,	Green,	C. Y. Osburn,
Brockway,	Greusel,	J. M. Osborn,
Brown,	Haack,	Pierson,
Cameron,	Harris,	Priest,
Chamberlain,	Hart,	Riford,
Cherry	J. Haynes,	Rood,
Childs,	Haywood,	Roof,
Climie,	Holland,	Roost,
Cochrane,	Holt,	Ross,
Copley,	Hoyt,	Sumner,
Coulter,	Hughes,	Swineford,
Crane,	Hurlbut,	Tobey,
Crofoot,	Kellogg,	Van Scoy,
Doty,	Knapp,	Walker,
Edwards,	Lamb,	Walton,
Fenton,	Little,	Webster,
Ferris,	McGonegal,	White,
Ferry,	E. R. Miller,	Speaker <i>pro tem.</i> ,
Garfield,	N. L. Miller,	

68

NAYS.

0

Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 166, entitled

A bill regulating the responsibility of the agents of insurance companies doing business in this State,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Garfield,	Mr. W.H.C. Mitchell,
Adams,	Gibson,	Moshier,
Adsit,	Gillam,	Norris,
Andrews,	Gorman,	C. Y. Osburn,
Atwood,	Gray,	J. M. Osborn,
Barnaby,	Green,	Pattengell,
Brockway,	Greusel,	Pearl,
Brown,	Haack,	Phillips,
Cameron,	Harris,	Pierson,
Chamberlain,	Hart,	Priest,
Cherry,	J. Haynes,	Riford,
Childs,	Haywood,	Rood,
Olimie,	Holland,	Roost,
Cochrane,	Hughes,	Ross,
Copley,	Hurlbut,	Sumner,
Coulter,	Kellogg,	Swineford,
Crane,	Knapp,	Tobey,
Crofoot,	Lamb,	Van Scoy,
Doty,	Little,	Walker,
Edwards,	McGonegal,	Walton,
Fenton,	E. R. Miller,	Webster,
Farris,	N. L. Miller,	White,
Ferry,	Minne,	Speaker <i>pro tem.</i> ,

69

NAYS.

0

Title agreed to.

Senate bill No. 183, entitled

A bill to amend an act entitled "An act to amend an act entitled 'An act for the incorporation of insurance companies, and defining their powers and duties,' approved March 28th, 1867," by adding a new section thereto, to stand as section 24,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Garfield,	Mr. Moshier,
Adams,	Gibson,	Norris,
Adsit,	Gorman,	C. Y. Osburn,
Andrews,	Gray,	J. M. Osborn,
Barnaby,	Green,	Pattengell,
Brockway,	Greusel,	Pearl,
Cameron,	Haack,	Phillips,
Chamberlain,	Harris,	Pierson,
Cherry,	Hart,	Priest,
Childs,	Haywood,	Riford,
Climie,	Holland,	Rood,
Cochrane,	Holt,	Roost,
Copley,	Hughes,	Ross,
Coulter,	Hurlbut,	Sumner,
Crane,	Knapp,	Swineford,,
Crofoot,	Lamb,	Tobey,
Doty,	Little,	Van Scoy,
Edwards,	McGonegal,	Walker,
Fenton,	E. R. Miller,	Walton,
Ferris,	N. L. Miller,	White,
Ferry,	W.H.C.Mitchell,	Speaker <i>pro tem.</i> ,

63

NAYS.

Mr. Brown, Mr. Webster, 2

Title agreed to.

House bill No. 407, entitled

A bill to establish the salaries of judges of probate,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Hurlbut moved to lay the bill on the table;

Which motion prevailed.

House bill No. 408, entitled

A bill to provide for the completion and improvement of the Midland and Isabella State road, and making an appropriation of non-resident highway taxes therefor,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Brockway moved to amend the bill by striking out all of section 3;

Which motion was withdrawn.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gray,	Mr. Minne,
Adams,	Green,	W.H.C. Mitchell,
Andrews,	Haack,	Montgomery,
Barnaby,	Harris,	Moshier,
Brown,	J. Haynes,	Norris,
Cameron,	Haywood,	C. Y. Osburn,
Chamberlain,	Holland,	Pattengell,
Climie,	Holt,	Pearl,
Copley,	Hoyt,	Phillips,
Coulter,	Hughes,	Priest,
Crofoot,	Hurlbut,	Riford,
Doty,	Kellogg,	Rood,
Edwards,	Knapp,	Roof,
Fenton,	Little,	Ross,
Ferry,	McGonegal,	Sumner,
Garfield,	E. R. Miller,	Swineford,
Gillam,	N. L. Miller,	Speaker, <i>pro tem.</i> ,

51

NAYS.

Mr. Adsit,	Mr. Ferris,	Mr. Roost,
Atwood,	Gorman,	Tobey,
Brockway,	Greusel,	Van Scoy,
Cherry,	Hart,	Walker,
Childs,	Lamb,	Walton,
Cochrane,	Pierson,	Webster,
Crane,		

19

Title agreed to.

Senate bill No. 71, entitled

A bill to provide for the drainage and reclamation of swamp lands lying in the counties of Charlevoix and Antrim, by means of straightening, deepening, and removing obstructions in the channel of Pine river,

Being under consideration,

On motion of Mr. W. H. C. Mitchell,

The bill was laid on the table.

House bill No. 409, entitled

A bill to vacate one mile of the Detroit river plank road, in the town of Springwells,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Pattengell moved that there be a call of the House;

Which motion prevailed.

PROCEEDINGS UNDER THE CALL

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs. Brown, Clement, Gibson, C. B. Grant, R. J. Grant, Huff, Smith, White, and Williams.

On motion of Mr. Cherry,

Leave of absence was granted Mr. R. J. Grant for the day.

On motion of Mr. Hughes,

Leave of absence was granted Mr. C. B. Grant for the day.

On motion of Mr. Pattengell,

All further proceedings under the call were dispensed with.

On motion of Mr. Pattengell,

The bill was then laid on the table.

House bill No. 410, entitled

A bill to amend section 6, of chapter 140, of the revised statutes of 1846, being section 5366, in chapter 165, of the compiled laws, relative to limitations of personal actions,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Adsit,
Andrews,
Atwood,
Barnaby,
Brockway,
Brown,
Childs,
Olimie,

Mr. Gorman,
Gray,
Green,
Greusel,
J. Haynes,
Haywood,
S. W. Hill,
Holland,
Hoyt,
Hughes,

Mr. C. Y. Osburn,
J. M. Osborn,
Pattengell,
Pearl,
Phillips,
Pierson,
Priest,
Riford,
Rood,
Roost,

Mr. Cochrane,	Mr. Hurlbut,	Mr. Ross,
Copley,	Kellogg,	Runyan,
Coulter,	Knapp,	Sumner,
Crane,	Lamb,	Swineford,
Crofoot,	Little,	Tobey,
Doty,	E. R. Miller,	Van Scoy,
Edwards,	Minne,	Walker,
Ferris,	W.H.C. Mitchell,	Walton,
Ferry,	Montgomery,	Webster,
Garfield,	Moshier,	White,
Gillam,	Norris,	Speaker <i>pro tem.</i> ,
		63

NAYS.

Mr. Cameron,

1

Title agreed to.

On motion of Mr. Cochrane,

By a vote of two-thirds of all the members elect; the bill
was ordered to take immediate effect.

House joint resolution No. 26, entitled

Joint resolution instructing the Board of State Auditors to
issue swamp land certificates in lieu of certain internal
improvement land warrants,

Was read a third time, and, pending the taking of the vote
on the passage thereof,

Mr. J. Haynes moved to lay the joint resolution on the
table;

Which motion did not prevail.

Mr. Swineford moved to amend the joint resolution by in-
serting in line 5 of the second resolve, before the word
"State," the words "Lower Peninsula of the;"

Which motion did not prevail.

The joint resolution was then not passed, a majority of all
the members elect not voting therefor, by yeas and nays, as
follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. W.H.C. Mitchell,
Adams,	Gray,	Montgomery,
Adsit,	Green,	Moshier,
Climie,	Harris,	C. Y. Osburn,

Mr. Copley,
Coulter,
Crofoot,
Doty,
Ferry,

Mr. Haywood,
S. W. Hill,
Holland,
Hoyt,
Knapp,

Mr. J. M. Osborn,
Pearl,
Roost,
Runyan,

26

NAYS.

Mr. Andrews,
Brockway,
Brown,
Cameron,
Cherry,
Childs,
Cochrane,
Crane,
Edwards,
Ferris,
Garfield,
Greusel,
Hart,

Mr. J. Haynes,
Holt,
Hughes,
Hurlbut,
Kellogg,
Lamb,
Little,
E. R. Miller,
N. L. Miller,
Minne,
Norris,
Pierson,
Priest,

Mr. Rood,
Roof,
Ross,
Sumner,
Swineford,
Tobey,
Van Scoy,
Walker,
Walton,
Webster,
White,
Speaker *pro tem.*,

38

On motion of Mr. Holt,

The vote by which the House refused to pass the joint resolution was reconsidered.

On motion of Mr. Holt,

The joint resolution was laid on the table.

House joint resolution No. 27, entitled

Joint resolution submitting an amendment to the constitution of the State, providing that the penal fines collected in townships be applied to the support of the library or the general school fund of said townships,

Being under consideration,

On motion of Mr. Riford,

The joint resolution was laid on the table.

Senate bill No. 181, entitled

A bill to authorize the board of supervisors of the county of Manitou to issue the bonds of said county to build county buildings,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Greusel,	Mr. Montgomery,
Adams,	Haack,	Moshier,
Adsit,	Harris,	Norris,
Andrews,	Hart,	C. Y. Osburn,
Brockway,	J. Haynes,	J. M. Osborn,
Brown,	Haywood,	Priest,
Cameron,	S. W. Hill,	Riford,
Cherry,	Holland,	Rood,
Copley,	Hoyt,	Roost,
Coulter,	Hughes,	Ross,
Crane,	Hurlbut,	Runyan,
Crofoot,	Kellogg,	Sumner,
Doty,	Knapp,	Swineford,
Edwards,	Lamb,	Tobey,
Fenton,	Little,	Walker,
Ferris,	McGonegal,	Walton,
Garfield,	E. R. Miller,	Webster,
Gillam,	Minne,	White,
Gray,	W.H.C. Mitchell,	Speaker <i>pro tem.</i> ,
Green,		58

NAYS.

Mr. Ferry, 1
Title agreed to.

House manuscript bill, entitled

A bill to establish a branch State road, to connect the Cass river and Bay City State road with the Forrestville State road, in Sanilac county, and making an appropriation of non-resident highway taxes for the same,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Brockway moved to amend the bill by adding the following to section 3: "*Provided*, That the State shall not be liable for any payment under the provisions of this act; "

Which motion prevailed.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gray,	Mr. C. Y. Osburn,
Adams,	Green,	J. M. Osborn,

Mr. Adsit,	Mr. Grousel,	Mr. Pattengell,
Andrews,	Harris,	Pearl,
Barnaby,	Hart,	Phillips,
Brockway,	J. Haynes,	Pierson,
Brown,	Haywood,	Priest,
Cameron,	S. W. Hill,	Riford,
Chamberlain,	Holland,	Rood,
Cherry,	Holt,	Roof,
Climie,	Hughes,	Roost,
Cochrane,	Hurlbut,	Ross,
Copley,	Knapp,	Runyan,
Coulter,	Lamb,	Sumner,
Crane,	Little,	Swineford,
Crofoot,	McGonegal,	Tobey,
Doty,	E. R. Miller,	Van Scoy,
Edwards,	N. L. Miller,	Walker,
Fenton,	Minne,	Walton,
Ferris,	W.H.C. Mitchell,	Webster,
Ferry,	Montgomery,	White,
Garfield,	Moshier,	Speaker <i>pro tem.</i> ,
Gillam,	Norris,	68
	NAYS.	0

The question being on agreeing to the title,

On motion of Mr. Adams,

The title was amended so as to read as follows :

A bill to provide for laying out and constructing the Cass City and Sanilac State road, and making an appropriation of non-resident highway taxes for the same.

The title, as amended, was then agreed to.

On motion of Mr. Adams,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The committee on engrossment and enrollment submitted the following report :

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following entitled bills and joint resolution :

1. House manuscript bill, entitled

A bill to amend section 1, of act No. 267, of session laws of 1869, being an act entitled "An act to amend act No. 397, of the

session laws of 1867, entitled 'An act to amend act No. 301, of the session laws of 1865,' being an act entitled 'An act to regulate the tolls on plank roads in Bay, Gratiot, and Saginaw counties;'

2. House manuscript bill, entitled

A bill to provide for the construction of a State road in the counties of Midland, Isabella, and Clare, and appropriating certain non-resident highway taxes for the construction thereof;

3. House bill No. 43, entitled

A bill to authorize the election of a township drain commissioner in each organized town, and to authorize them to locate, establish, and construct ditches, drains, and water-courses in their respective towns, and to repeal all other drainage laws in relation thereto;

4. House bill No. 204, entitled

A bill to establish the weight of lime;

5. House bill No. 227, entitled

A bill to change the name of Edna F. Flowers to Edna F. June, and to constitute her heir-at-law of David June;

6. House bill No. 242, entitled

A bill to amend sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, and 20, of an act entitled "An act to provide for the incorporation of water-power companies," approved March 20, 1863, and section 15, as amended by act No. 51, session laws of 1869, and to add a new section thereto, to stand as section 22;

7. House bill No. 264, entitled

A bill to authorize the supervisor of the township of Alabaster, in the county of Iosco, to make out a new tax-roll for said township for the year 1870, and to extend the time for the collection of taxes therein and return thereof;

8. House bill No. 266, entitled

A bill to incorporate the village of Grand Ledge;

9. House bill No. 318, entitled

A bill to constitute the president and board of trustees of the village of Bellevue the commissioners of highways thereof, and to make the street commissioner the overseer of highways of said village, and to create a board of control for bridges within said village;

10. House bill No. 334, entitled

A bill to amend section 40, of an act entitled "An act to incorporate the village of Ovid," approved March 24, 1869, by adding a new section thereto;

11. House bill No. 346, entitled

A bill to confirm the title of certain cemetery property within the city of Saginaw, in Saginaw county, and authorizing the common council of said city to sell the same;

12. House joint resolution No. 20, entitled

Joint resolution for the relief of Richard Thorne;

13. House bill No. 309, entitled

A bill to amend section 7, of chapter 55, of the revised statutes of 1846, being section 2149, in chapter seventy-three (73), of the compiled laws of the State of Michigan, entitled "General provisions relating to corporations;"

14. House bill No. 321, entitled

A bill to further amend an act entitled "An act to provide for the construction of train railways;"

Also the following concurrent resolutions:

1. *Resolved by the House of Representatives* (the Senate concurring), That the two branches of the Legislature will meet in joint convention on Tuesday, the 11th day of April inst., at half-past 10 o'clock A. M., to act upon such nominations as the Governor may be prepared to make to such joint convention.

2. *Resolved* (the Senate concurring), That out of respect to the memory of the late Hon. Jacob M. Howard, the Sergeant-at-Arms be directed to place the national flag at half-mast until Saturday noon.

JNO. F. COULTER, *Acting Chairman.*

Report accepted.

The committee on engrossment and enrollment also submitted the following report:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following entitled bills:

1. House bill No 298, entitled

A bill to provide for the publication of the laws of 1871;

2. House bill No. 318, entitled

A bill to provide for the incorporation of St. Jean Baptiste societies;

3. House bill No. 228, entitled

A bill to amend sections 1 and 8, of an act entitled "An act to provide for a State board of equalization," approved April 7th, 1851, being sections Nos. 223 and 230, of the compiled laws;

4. House manuscript bill entitled

A bill to amend sections 3 and 95, of an act entitled "An act to revise the charter of the city of Monroe," approved March 31st, 1871;

5. House joint resolution No. 17, entitled

Joint resolution authorizing a temporary suspension of payment of State bounties.

C. Y. OSBURN, *Acting Chairman.*

Report accepted.

MESSAGES FROM THE SENATE.

The Speaker *pro tem.*, by unanimous consent, announced the following:

SENATE CHAMBER, }
Lansing, April 8, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No, 240, entitled

A bill to incorporate the village of Laingsburgh;

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the

same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER, }
Lansing, April 8, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bills:

1. House bill No. 267, entitled

A bill to amend section 1, of act number 31, of session laws of 1869, entitled "An act to regulate the size of dry or packing barrels for fruit, roots, and vegetables," approved March 8, 1869;

2. House bill No. 310, entitled

A bill to amend sections 12, 13, and 14, of act No. 82, of the session laws of 1869, being an act to amend sections 12, 13, 14, and 15, of chapter 154, of the revised statutes of 1846, being sections 5756, 5757, 5758, and 5759, of chapter 181, of the compiled laws, entitled "Of offenses against property," approved March 30th, 1869;

3. House manuscript bill, entitled

A bill to amend section 45, of an act entitled "An act to provide for the incorporation of companies to construct plank roads," approved April 8, 1851, being section 1925, in chapter 65, of the compiled laws;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER, }
Lansing, April 7, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 316, entitled

A bill to amend an act entitled “An act to authorize the common council of the city of Detroit to divide any ward of said city into two election districts, and to provide for the registration of qualified electors therein,” approved March 27th, 1867,

And to inform the House that the Senate has amended the same, by inserting after the word “two” the words “wards or;”

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. McGonegal moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Garfield,	Mr. Montgomery,
Adams,	Gillam,	Norris,
Adsit,	Gray,	J. M. Osborn,
Andrews,	Green,	Pattengell,
Atwood,	Greusel,	Pearl,
Barnaby,	Haack,	Phillips,
Brockway,	Hart,	Pierson,
Brown,	J. Haynes,	Priest,
Cameron,	Haywood,	Riford,
Chamberlain,	S. W. Hill,	Roost,

Mr. Cherry,	Mr. Holland,	Mr. Ross,
Childs,	Holt,	Runyan,
Climie,	Hoyt,	Sumner,
Cochrane,	Hughes,	Swineford,
Copley,	Knapp,	Tobey,
Coulter,	Lamb,	Walker,
Crane,	McGonegal,	Walton,
Crofoot,	E. R. Miller,	Webster,
Edwards,	N. L. Miller,	White,
Fenton,	Minne,	Speaker <i>pro tem.</i> ,
Ferris,		61

NAYS.

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The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER, }
Lansing, April 7, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bills:

1. House bill No. 98, entitled

A bill to authorize the city of Hastings to issue bonds to raise money for the building of bridges;

2. House bill No. 196, entitled

A bill to provide for the protection of laborers and persons furnishing material for the construction and repairing of railroads in this State;

3. House bill No. 287, entitled

A bill to determine the width of the Goodrichville and Lower Saginaw State road, in the townships of Millington, Vassar, Tuscola, and Denmark, in Tuscola county, and the township of Blumfield, in the county of Saginaw, and Portsmouth and Hampton, in the county of Bay;

4. House bill No. 306, entitled

A bill to regulate the size of peach baskets;

5. House bill No. 329, entitled

A bill to amend section 89, of chapter 102, of the revised statutes of 1846, being section 4326, chapter 127, of the second volume of the compiled laws, entitled "Evidence;"

6. House bill No. 331, entitled

A bill to amend act No. 208, of the session laws of 1869, being an act entitled "An act to provide for the establishment of school district libraries," approved February 15, 1859, by adding a new section thereto, to stand as section six, and to change the numbers of section 6 and section 7 to section 7 and section 8;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,
Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER, }
Lansing, April 8, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following:

Resolved by the House of Representatives (the Senate concurring), That the Secretary of State be directed to forward to each supervisor one copy of all general acts which are ordered to take immediate effect, in addition to the copies already requested to be forwarded to the supreme and circuit judges and county clerks,

And to inform the House that the Senate has amended the same by inserting after the word "supervisor," the words "and each member and officer of the Legislature of 1871;"

In the passage of which, as thus amended, the Senate has concurred.

Very respectfully,

HENRY S. SLEEPER,
Secretary of the Senate.

On motion of Mr. Gillam,

The House concurred in the amendments made to the resolution by the Senate.

The resolution was then referred to the committee on engrossment and enrollment, for enrollment.

MOTIONS AND RESOLUTIONS.

Mr. Adams moved to take from the table House bill No. 352, entitled

A bill to establish and construct a ditch in the townships of Gilford, in Tuscola county, Blumfield, in Saginaw county, and Portsmouth, in Bay county, and making an appropriation of non-resident highway taxes for the same ;

Which motion prevailed.

The question being on the passage of the bill,

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,
Adams,
Adsit,
Andrews,
Atwood,
Barnaby,
Brockway,
Brown,
Cameron,
Chamberlain,
Cherry,
Climie,
Cochrane,
Copley,
Coulter,
Crane,
Crofoot,
Doty,
Edwards,
Fenton,
Ferris,

Mr. Gray,
Green,
Greusel,
Haack
Hart,
Haywood,
S. W. Hill,
Holland,
Holt,
Hoyt,
Hurlbut
Kellogg,
Knapp,
McGonegal,
E. R. Miller,
Minne,
Montgomery,
Moshier,
Norris,
C. Y. Osburn,

Mr. J. M. Osborn,
Pearl,
Phillips,
Pierson,
Priest,
Riford,
Rood,
Roof,
Roost,
Rosa,
Runyan,
Sumner,
Swineford.
Tobey,
Van Scoy.
Walker,
Walton,
Webster,
White,
Speaker *pro tem.*,

61

NAYS.

Mr. Garfield,

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The question being on agreeing to the title,

On motion of Mr. Adams,

The title was amended by striking out all between the words "construct a," in the first line, and the words "and making," in the second line, and inserting the words "State road, to be known as the Gilford and Portsmouth State road," in lieu thereof.

The title as amended was then agreed to.

On motion of Mr. Gillam,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. O. Adams moved to take from the table Senate bill No 156, entitled

A bill to authorize the dissolution of mining and manufacturing companies organized under chapter 63, of the compiled laws, and the acts amendatory thereof, in certain cases, and for the distribution of the assets thereof among the stockholders thereof;

Which motion prevailed.

The question being on the passage of the bill,

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Norris,
Adams,	Gorman,	J. M. Osborn,
Adeit,	Gray,	Pearl,
Andrews,	Green,	Phillips,
Atwood,	Greusel,	Pierson,
Barnaby,	Haack,	Priest,
Brockway,	Hart,	Riford,
Brown,	J. Haynes,	Rood,
Cameron,	Haywood,	Roof,
Chamberlain,	S. W. Hill,	Roost,
Cherry,	Holland,	Ross,
Childs,	Holt,	Runyan,
Climie,	Hoyt,	Sumner,
Cochrane,	Hurlbut,	Swineford,
Copley,	Kellogg,	Tobey,
Coulter,	Knapp,	Van Scoy,

Mr. Crane,	Mr. McGonegal,	Mr. Walker,
Crofoot,	E. R. Miller,	Walton,
Doty,	Minne,	Webster,
Edwards,	Montgomery,	White,
Fenton,	Moshier,	Speaker <i>pro tem.</i> ,
Ferris,		64

NAYS.

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The question being on agreeing to the title,

On motion of Mr. Adams,

The title was amended by striking out the words "mining and."

The title, as amended, was then agreed to.

On motion of Mr. Gillam.

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. J. M. Osborn moved to reconsider the vote by which the House passed House bill No. 369, entitled

A bill to amend chapter 109, of the revised statutes of 1846, in relation to the partition of lands, being chapter 135, of the compiled laws, as amended by act No. 70, of the laws of 1863, approved March 7th, 1863, by adding a new section thereto ;

Which motion did not prevail.

Mr. Cameron moved to discharge the committee on public lands from the further consideration of House bill No. 402, entitled

A bill to amend section 3, of act No. 117, of the session laws of 1859, being an act entitled "An act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches," and to add a new section thereto, to stand as section twenty-three ;

Which motion did not prevail.

Mr. Holt offered the following :

Resolved, That when the House adjourn, it be until 10 o'clock on Monday morning.

Mr. Cameron moved to amend the resolution by making the hour of meeting 9 o'clock A. M. ;

Which was accepted.

The resolution was then adopted.

Mr. Atwood offered the following:

Resolved, That the Auditor General be and he is hereby requested to inform the House, by a detailed statement, of the items composing the aggregate amount of \$41,346.62, appearing upon page 6, of the appendix to the annual report of the Auditor General for the last fiscal year, 1870, denominated "Exp. of sales ref. and disb. from proc'ds of sales," to whom paid, for what purposes, under what law the several items of such indebtedness accrued, and what sums have been expended during the present current fiscal year for the same purposes, to whom paid, and the probable amount which will be required for the same purposes before the close of the current fiscal year.

Resolved, That the Clerk of this House be and he is hereby instructed to forward to the Auditor General a copy of this resolution, and request an early reply;

Which was adopted.

On motion of Mr. J. M. Osborn,

The House adjourned.

Lansing, Monday, April 10, 1871.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Robinson.

Roll called: quorum present.

Absent without leave: Messrs. Bates, Clement, Edwards, Garrison, Gibson, R. J. Grant, H. Haynes, N. R. Hill, Hoyt, Huff, Hughes, Little, N. L. Miller, Montgomery, Post, and White.

Mr. Greusel asked and obtained leave of absence for Mr. Gibson for the day.

Mr. Greusel asked and obtained leave of absence for Mr. Hoyt for the day.

Mr. Haack asked and obtained leave of absence for Mr. Little for the day.

Mr. E. R. Miller asked and obtained leave of absence for Mr. Hughes for the day.

Mr. Moshier asked and obtained leave of absence for Mr. Clement for the day.

Mr. J. M. Osborn asked and obtained leave of absence for Mr. Huff for the day.

Mr. Chamberlain asked and obtained leave of absence for Mr. Edwards for the day.

Mr. Swineford asked and obtained leave of absence for Mr. Bates indefinitely, on account of sickness.

Mr. Rood asked and obtained leave of absence for Mr. Lamb for the day.

Mr. Atwood asked and obtained leave of absence for Mr. Montgomery for the day.

Mr. C. B. Grant asked and obtained leave of absence for Mr. Post for the day.

Mr. Webster asked and obtained leave of absence for Mr. White for the day.

Mr. Cherry asked and obtained leave of absence for Mr. R. J. Grant for the day.

PRESENTATION OF PETITIONS.

By Mr. Riford: Petition of Albert James, R. C. Hunter, and 250 others, citizens of Berrien county, for the repeal of the law preventing the laying out of highways through orchards without the consent of the owner;

Referred to the committee on roads and bridges.

REPORTS OF STANDING COMMITTEES.

The committee on State affairs, to whom was recommitted House manuscript bill, entitled

A bill to establish a homeopathic hospital, and the appoint-

ment of two professors in the medical department of the University of Michigan,

Beg leave respectfully to report that they have had the same under consideration, and while we still hold that the Regents of that institution ought to so manage it as to dispense its blessings to the people, without discrimination in favor of pathy, or sect, or fraternity, that scientific attainment should be the requisite qualification of professors, without reference to class or school, your committee also believe that the whole subject has sufficiently engaged the time and attention of this committee and of the Legislature for the present session, and have directed me to report the bill back the House, without amendment, recommending that it do not pass, and ask to be discharged from the further consideration of the subject.

A. CAMERON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Gillam,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred House bill No. 364, entitled

A bill authorizing the State Treasurer to deliver the railroad bonds to the township or city depositing the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

A. B. RIFORD, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. J. M. Osborn,

The House concurred in the amendments made to the bill by the committee.

The question being on the passage of the bill,

The bill was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	• Mr. C. B. Grant,	Mr. Pattengell,
Adams,	Gray,	Pearl,
Adsit,	Green,	Pierson,
Barnaby,	Harris,	Riford,
Brown,	J. Haynes,	Rood,
Cameron,	Haywood,	Roof,
Chamberlain,	S. W. Hill,	Ross,
Cherry,	Holland,	Runyan,
Childs,	Houseman,	Smith,
Cochrane,	Huston,	Sumner,
Copley,	Kellogg,	Swineford,
Coulter,	Knapp,	Thayer,
Crane,	McGonegal,	Walker,
Crofoot,	E. R. Miller,	Walton,
Fenton,	Moshier,	Webster,
Ferris,	Norris,	Wells,
Ferry,	C. Y. Osburn,	Speaker,
Garfield,	J. M. Osborn,	

53

NAYS.

Mr. Andrews,	Mr. Greusel,	Mr. W.H.C. Mitchell,
Atwood,	Haack,	Phillips,
Brockway,	Hurlbut,	Roost,
Climie,	Millington,	Tobey,
Gillam,	Minne,	Van Scoy,

15

Title agreed to.

By the committee on judiciary:

The committee on judiciary, to whom was referred Senate bill No. 117, entitled

A bill to repeal section 2, of an act entitled "An act to amend chapter 123, of the revised statutes of 1846, being section 5002 of the compiled laws,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Riford,

The House concurred in the amendment made to the bill by the committee.

The question being on the passage of the bill,

The bill was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Ferry,	Mr. Pattengell,	
Adams,	Gillam,	Phillips,	
Adsit,	Green,	Pierson,	
Andrews,	Greusel,	Riford,	
Atwood,	Haack,	Rood,	
Barnaby,	Harris,	Roof,	
Brockway,	Hart,	Roost,	
Brown,	J. Haynes,	Ross,	
Cameron,	Haywood,	Smith,	
Chamberlain,	S. W. Hill,	Sumner,	
Cherry,	Holland,	Swineford,	
Childs,	Hurlbut,	Thayer,	
Climie,	Huston,	Tobey,	
Cochrane,	Knapp,	Van Scoy,	
Copley,	McGonegal,	Walker,	
Coulter,	Millington,	Walton,	
Crane,	W.H.O. Mitchell,	Webster,	
Crofoot,	Moshier,	Wells,	
Fenton,	Norris,	Speaker,	
Ferrie,	J. M. Osborn,		59
	NAYS.		0

Title agreed to.

On motion of Mr. Huston,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on judiciary:

The committee on judiciary, to whom was referred House bill No. 354, entitled

A bill to amend section 27, of chapter 141, of the compiled laws, as enacted by act No. 160, of the session laws of 1861, relative to service of process on railroad corporations in garnishee cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Norris,

The House concurred in the amendment made to the bill by the committee.

The question being on the passage of the bill,

The bill was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. C. B. Grant,	Mr. Pattengell,
Andrews,	Gray,	Pearl,
Atwood	Grensel,	Phillips,
Barnaby,	Haack,	Pierson,
Brockway,	Harris,	Riford,
Brown,	Hart,	Rood,
Cameron,	Haywood,	Roof,
Chamberlain,	S. W. Hill,	Ross,
Cherry,	Holland,	Runyan,
Childs,	Huston,	Smith,
Climie,	McGonegal,	Sumner,
Cochrane,	E. R. Miller,	Swineford,
Copley,	Millington,	Tobey,
Coulter,	W.H.C. Mitchell,	Walker,
Crane,	Moshier,	Walton,
Fenton,	C. Y. Osburn,	Wells,
Garfield,	J. M. Osborn,	

50

NAYS.

Mr. Adams,	Mr. J. Haynes,	Mr. Norris,
Adsit,	Houseman,	Roost,
Ferris,	Hurlbut,	Thayer,
Ferry,	Kellogg,	Van Scoy,
Gillam,	Knapp,	Speaker,
Green,		

16

Mr. Adams moved to reconsider the vote by which the House refused to pass the bill;

Which motion prevailed.

On motion of Mr. Adams,

The bill was recommitted to the committee on judiciary.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for laying out and digging a State ditch in the township of Lee, in the county of Calhoun, and making a grant of swamp land therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it be placed on the general order, and ask to be discharged from the further consideration of the subject.

JOHN HAYNES, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. J. M. Osborn,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 165, being

A bill to amend section 4, of act number 119, of the session laws of 1869, entitled "An act to provide for the incorporation of savings associations," approved April 5th, 1869, and to add three new sections thereto, to stand as sections 22, 23, and 24,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. M. OSBORN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cherry,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills:

1. House manuscript bill, entitled

A bill to amend section 45, of an act entitled "An act to provide for the incorporation of companies to construct plank roads," approved April 8, 1851, being section 1925, in chapter 65, of the compiled laws;

2. House bill No. 240, entitled

A bill to incorporate the village of Laingsburgh;

3. House bill No 267, entitled

A bill to amend section 1, of act number 31, of session laws of 1869, entitled "An act to regulate the size of dry or packing barrels for fruit, roots and vegetables," approved March 8, 1869;

4. House bill No. 287, entitled

A bill to determine the width of the Goodrichville and Lower Saginaw State road, in the townships of Millington, Vassar, Tuscola, and Denmark, in Tuscola county, and the township of Blumfield, in the county of Saginaw, and Portsmouth and Hampton, in the county of Bay;

5. House bill No. 306, entitled

A bill to regulate the size of peach baskets;

6. House bill No. 316, entitled

A bill to amend an act entitled "An act to authorize the common council of the city of Detroit to divide any ward of said city into two election wards or districts, and to provide for the registration of qualified electors therein," approved March 27th, 1867;

7. House bill No. 329, entitled

A bill to amend section 89, of chapter 102, of the revised

statutes of 1846, being section 4326, chapter 127, of the second volume of the compiled laws, entitled "Evidence;"

8. House bill No. 331, entitled

A bill to amend act No. 208, of the session laws of 1869, being an act entitled "An act to provide for the establishment of school district libraries," approved February 15, 1859, by adding a new section thereto, to stand as section 6, and to change the numbers of section 6 and section 7 to section 7 and section 8.

JOHN F. COULTER, *Acting Chairman.*

Report accepted.

MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER, }
Lansing, April 8, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bills:

1. House bill No. 151, entitled

A bill to amend sections 3 and 4, of chapter 27, of the revised statutes of 1846, "Of the erection, repairing, and preservation of bridges," being sections 1100 and 1101 of the compiled laws ;

2. House bill No. 211, entitled

A bill to amend section 6, of chapter 26, of the revised statutes of 1846, being section 1091, of chapter 23, of the compiled laws, entitled "Of the obstructions of highways, encroachments thereon, and penalties;"

3. House bill No. 294, entitled

A bill to provide for laying out, establishing, and constructing a State road in the county of Iosco, and appropriating certain non-resident highway taxes therefor, said road to be known as the Oscoda and Plainfield State road ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 10, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to re-incorporate the village of Eaton Rapids,

And to inform the House that the Senate has amended the same as follows:

By striking out, in article VIII, section 2, lines 6 and 7, the words “any justice of the peace of the townships of Eaton Rapids and Hamlin,” and inserting in place thereof the words “any court of competent jurisdiction;” and by adding, at the end of the section, the following proviso: “*Provided further, That right of trial by jury, when demanded, shall in all cases be preserved;*”

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. McGonegal moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adsit,
Andrews,
Atwood,
Barnaby,
Brockway,
Brown,

Mr. Gray,
Green,
Greusel,
Haack,
Harris,
Hart,
J. Haynes,

Mr. C. Y. Osburn,
J. M. Osborn,
Pattengell,
Phillips,
Pierson,
Riford,
Rood,

Mr. Chamberlain,	Mr. Haywood,	Mr. Roof,	
Cherry,	Holland,	Roost,	
Childs,	Hurlbut,	Ross,	
Climie,	Huston,	Smith.	
Cochrane,	Kellogg,	Sumner,	
Coulter,	Knapp,	Swineford,	
Crane,	McGonegal,	Tobey,	
Ferris,	E. R. Miller,	Van Scoy,	
Ferry,	Millington,	Walton,	
Garfield,	W.H.C. Mitchell,	Webster,	
Gillam,	Moshier,	Wells,	
C. B. Grant,	Norris,	Speaker,	57
	NAYS.		0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker called the Speaker *pro tem.* to the chair.

Mr. Brockway, by unanimous consent, moved that the committee on judiciary be instructed to amend the bill amendatory of the garnishee laws, so that the amount for which the garnishee may hold be reduced to five dollars ;

Which motion did not prevail.

The Speaker *pro tem.* announced the following :

SENATE CHAMBER, }
Lansing, April 8, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bills :

1. House bill No. 356, entitled

A bill to amend act number 138, of the session laws of 1867, being an act entitled “An act to amend section 1. of chapter 70, of the revised statutes of 1846, being section 2877, of chapter 94, of the compiled laws, entitled ‘Of the administration and distribution of estates of deceased persons ;’”

2. House manuscript bill, entitled

A bill to change the name of Franklin Dwight Smith to Franklin Dwight Martin, and to constitute him the heir-at-law of John Clark Martin and Maria Louisa Martin, of Ingham county, Michigan ;

3. House manuscript bill, entitled

A bill to amend section 14, in chapter 102, of the revised statutes of 1846, being section 3103, in chapter 102, of the compiled laws, relative to the sale of lands of minors and other persons under guardianship, and investing the proceeds for their use;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,
Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,
Lansing, April 8, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bills:

1. House bill No. 153, entitled

A bill appropriating certain non-resident highway taxes for the improvement of the Greenbush and Gratiot State road;

2. House bill No. 180, entitled

A bill to establish certain highways in the township of Easton, Ionia county, less than four rods wide;

3. House bill No. 197, entitled

A bill for laying out a State road in the counties of Clare and Roscommon;

4. House bill No. 202, entitled

A bill to incorporate the village of Pewamo;

5. House bill No. 243, entitled

A bill to provide for the payment of bounties by the State Treasurer, upon the warrant of the Auditor General;

6. House bill No. 265, entitled

A bill to provide for the laying out and constructing of a State road in Isabella county ;

7. House bill No. 278, entitled

A bill to provide for the sale of perishable property ;

8. House bill No. 324, entitled

A bill to remit certain specific taxes therein named ;

9. House bill No. 337, entitled

A bill providing a name for a certain male child whose parentage is unknown, and constituting it the heir-at-law of Jacob Bush and Susannah Bush ;

10. House bill No. 345, entitled

A bill to change the name of Seth Dimick Adams to Seth Dimick Gage, and to constitute him heir-at-law of Franklin Gage and Mary C. Gage ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }
Lansing, April 8, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 228, entitled

A bill to provide for the election of three general and two special county highway commissioners in the several counties of this State,

Which has passed the Senate by a majority vote of all the

Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER,)
Lansing, April 10, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 281, entitled

A bill to incorporate the village of Rockford,

And to inform the House that the Senate has amended the same, by striking out of section 24, all after the word "they," in line 5, and inserting in place thereof the following words: "shall give notice thereof to the owner or parties interested, or his, her, or their agent or representatives, by personal notice, or by written notice posted up in three of the most public places in said village, at least three weeks next preceding the meeting of said president and trustees for any of the purposes aforesaid; and the said president and trustees are hereby authorized to treat with such person or persons for such ground or premises, and if such person or persons shall refuse or neglect to treat for the same, or if the parties cannot agree therefor, it shall and may be lawful for said president and trustees to direct any justice of the peace of the townships of Algoma, Plainfield, Cortland, or Cannon, to issue a *venire facias*, to command the marshal of said village, or any constable of said county, to summon and return a jury of twelve freeholders, to be taken without the limits of said village, to appear before such justice of the peace to which they were summoned, which justice shall preserve the right of challenge, enforcement of attendance, and summoning of talesmen, as

provided by general law in this State for justices' courts in civil cases, except that no more than two peremptory challenges shall be permitted to the corporation, and a like number to the individual or individuals, collectively, whose property is sought to be taken, and the challenge to the array shall be in writing, and shall specify the cause. Said jury, when formed, shall proceed to inquire into the necessity of using such grounds or premises, and the just compensation to be made therefor to the owner or owners of, or parties interested in such grounds or premises, which jury being first duly sworn by said justice, faithfully and impartially to inquire into the necessity of using such grounds or premises, and the just compensation to be made therefor, and having viewed the premises, if necessary, shall inquire of such necessity, and assess such damages and compensation as they shall judge fit to be awarded to the owner or owners of, or parties interested in such ground or premises, for their respective losses, according to the several interests or estates therein; and the said justice shall, upon the return of such assessment or verdict, enter judgment therefor, confirming the same; and such sum or sums so assessed, together with all costs, shall be paid or legally tendered, before such street, lane or alley, sidewalk, drain or sewer, or highway shall be made, opened or established, or altered, to the claimant or claimants thereof; it shall thereupon be lawful for the president and trustees to cause the same grounds or premises to be occupied and used for the purpose aforesaid: *Provided*, That the president and trustees, or any party claiming damages as aforesaid, may have the right to remove such proceedings by appeal to the circuit court, or any other court of competent jurisdiction, upon giving notice of his, her, or their intention so to do, to said justice, in writing, within ten days, or in case of the absence of said party from said village (at the time of rendition of the judgment), then within thirty days after the verdict of the jury and the judgment of said justice as aforesaid; upon the filing of a transcript of the

proceedings aforesaid, duly certified by the said justice, within forty days after the verdict and judgment in the circuit court, or any other court of record having appellate jurisdiction, the same proceedings shall be had as is prescribed by law in other cases of appeal: *Provided*, That if final judgment for damages shall not exceed the damages assessed before the justice at least five dollars, then the party appealing shall pay all costs occasioned by such appeal;”

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Rood moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. C. B. Grant,	Mr. C. Y. Osburn,
Adams,	Gray,	J. M. Osborn,
Adsit,	Green,	Phillips,
Andrews,	Greusel,	Pierson,
Atwood,	Haack,	Riford,
Barnaby,	Harris,	Rood,
Brockway,	Hart,	Roost,
Brown,	J. Haynes,	Ross,
Cameron,	Haywood,	Runyan,
Chamberlain,	S. W. Hill,	Smith,
Cherry,	Holland,	Sumner,
Childs,	Houseman,	Swineford,
Cochrane,	Hurlbut,	Thayer,
Copley,	Kellogg,	Tobey,
Coulter	Knapp,	Van Scoy,
Crane,	McGonegal,	Walker,
Crofoot,	E. R. Miller,	Walton,
Fenton,	Millington,	Webster,
Ferris,	Minne,	Wells,
Garfield,	W.H.C. Mitchell,	Speaker <i>pro tem.</i> ,
Gillam,	Norris,	

NAYS.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER, }
Lansing, April 8, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 335, entitled

A bill to repeal act No. 271, of the session laws of 1848, being an act entitled “An act to incorporate the Flint and Fentonville plank road company,” approved April 3d, 1848;

In the passage of which the Senate has concurred by a two-thirds vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER, }
Lansing, April 8, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 260, entitled

A bill to lay out and establish, and improve a swamp land State road from Gratiot river, in the line of the Mineral Range State road, in the township of Clifton, county of Keweenaw, to the head of Torch Lake, in the township of Schoolcraft, in the county of Houghton,

And to inform the House that the Senate has amended the same by striking out all of section 2;

In the passage of which, as thus amended, the Senate has

concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. S. W. Hill moved that the House concur in the amendment made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Garfield,	Mr. Pearl,
Adams,	Gray,	Pierson,
Adsit,	Green,	Riford,
Andrews,	Greusel,	Rood,
Barnaby,	Haack,	Roost,
Brockway,	Harris,	Ross,
Brown,	Hart,	Runyan
Cameron,	J. Haynes,	Smith,
Chamberlain,	Haywood,	Sumner,
Cherry,	S. W. Hill,	Swineford,
Childs,	Holland,	Thayer,
Climie,	McGonegal,	Tobey,
Cochrane,	E. R. Miller,	Van Scoy,
Copley,	Millington,	Walker,
Coulter,	Minne,	Walton,
Crane,	W.H.C. Mitchell,	Webster,
Crofoot,	Norris,	Wells,
Fenton,	J. M. Osborn,	Speaker <i>pro tem.</i> ,
Ferry,	Pattengell,	56

NAYS.

Mr. Kellogg,

1

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,)
Lansing, April 8, 1871. {

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 207, entitled

A bill to regulate the execution and transfer of notes or other obligations given for patent rights,

And to inform the House that the Senate has amended the same by striking out the word "five," in line seven of section two, and inserting in place thereof the word "one;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Brockway moved that the House concur in the amendment made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Gray,	Mr. Norris,
Adams,	Green,	C. Y. Osburn,
Adsit,	Greusel,	J. M. Osborn,
Brockway,	Haack,	Pattengell,
Brown,	Harris,	Pierson,
Chamberlain,	Hart,	Priest,
Cherry,	J. Haynes,	Rood,
Childs,	Haywood,	Ross,
Cochrane,	S. W. Hill,	Smith,
Copley,	Holland,	Sumner,
Crane,	Houseman,	Swineford,
Crofoot,	Hurlbut,	Thayer,
Doty,	Knapp,	Tobey,
Fenton,	McGonegal,	Van Scoy,
Ferry,	E. R. Miller,	Walton,
Garfield,	Millington,	Webster,
Gillam,	W.H.C. Mitchell,	Wells,
C. B. Grant,	Moshier,	Speaker <i>pro tem.</i> ,
		54

NAYS.

Mr. Andrews,	Mr. Ferris,	Mr. Roost,
Atwood,	Kellogg,	Runyan,
Cameron,	Riford,	Walker,
Coulter,		10

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }
Lansing, April 8, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 323, entitled

A bill to provide for the laying out, establishing, and constructing a State road in the county of Alcona, and appropriating certain non-resident highway taxes therefor, to be known as the Pine River State road,

And to inform the House that the Senate has amended the same by striking out, in line 2 of section 4, the word "one," and inserting in place thereof the word "two ;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. J. Haynes moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. C. B. Grant,	Mr. C. Y. Osburn,
Adams,	Green,	J. M. Osborn,
Adsit,	Greusel,	Pattengell,
Andrews,	Haack,	Pierson,
Brockway,	Harris,	Priest,
Brown,	Hart,	Riford,
Cameron,	J. Haynes,	Rood,
Chamberlain,	Haywood,	Roost,
Cherry,	S. W. Hill,	Ross,
Childs,	Holland,	Runyan,
Cochrane,	Holt,	Smith,
Copley,	Houseman,	Sumner.
Coulter,	Kellogg,	Swineford,,

Mr. Crane,	Mr. Knapp,	Mr. Thayer,
Crofoot,	McGonegal,	Tobey,
Doty,	E. R. Miller,	Van Scoy,
Fenton,	Millington,	Walker,
Ferris,	W.H.C. Mitchell,	Webster,
Ferry,	Moshier,	Wells,
Garfield,	Norris,	Speaker <i>pro tem.</i> ,
		60

NAYS.

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The bill was then referred to the committee on engrossment and enrollment, for enrollment.

GENERAL ORDER.

On motion of Mr. Copley,

The House went into committee of the whole on the general order,

Mr. Holland in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 262, entitled

A bill to incorporate the village of Cheboygan;

2. House bill No. 369, entitled

A bill to amend sections 1, 11, and 13, of act No. 163, of the session laws of 1861, entitled "An act relative to laying out, altering, and discontinuing highways;"

3. Senate bill No. 168, entitled

A bill to amend section 19, of chapter 172, of the revised statutes of 1846, being section 6176 of the compiled laws;

4. Senate bill No. 74, entitled

A bill to add certain sections to the general railroad law;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

5. House bill No. 359, entitled

A bill to provide for laying out and constructing a State road in the county of Huron, and State of Michigan, and making an appropriation of State swamp land therefor, to be known as the extension of the Port Austin and Sanilac State road ;

6. House bill No. 367, entitled

A bill to amend section 124, of act 169, of the session laws of 1869, entitled "An act to provide a uniform assessment of property, and for the collection and return of taxes thereon," approved April 9th, 1869 ;

7. House bill No. 377, entitled

A bill to provide for laying out and establishing a State road from town 24 north, of range 4 east, to the meridian ;

8. Senate bill No. 88, entitled

A bill to amend an act entitled "An act to amend an act entitled 'An act to establish a police government for the city of Detroit,' and to add two more sections thereto," approved March 9th, 1867 ;

9. Senate bill No. 121, entitled

A bill to legalize the action of the commissioners of highways of the township of Romulus, in the county of Wayne, in the laying out, locating, and establishing certain drain ditches in said township, for the years 1867 and 1868 ;

10. Senate bill No. 153, entitled

A bill to provide for the re-assessment, collection, and return of certain ditch taxes in the township of Romulus, in the county of Wayne ;

11. Senate bill No. 178, entitled

A bill to amend section 1, of an act entitled "An act relative to proof of demands in suit," approved March 26th, 1867 ;

12. Senate bill No. 171, entitled

A bill to amend section 4, chapter 47, of the revised statutes of A. D. 1846, being section 1606 of the compiled laws, entitled "Of lost goods and stray beasts ;"

13. Senate bill No. 189, entitled

A bill to amend sections 4 and 5, of an act entitled "An act for the appropriation of swamp lands to the counties of Houghton and Keweenaw, for the construction of the Mineral Range State road," approved March 20th, 1863, as amended by act No. 65, of the session laws of 1865;

14. Senate bill No. 126, entitled

A bill to amend section 7, of an act entitled "An act to authorize the formation of corporations for literary and scientific purposes," approved March 21st, 1865, as amended by an act amendatory thereof, approved March 4th, 1869;

15. Senate bill No. 109, entitled

A bill to amend sections 5 and 15, of "An act to authorize the formation of corporations for the purpose of improving the navigation of rivers," approved April 5th, 1869;

16. Senate bill No. 172, entitled

A bill to amend section 1813, being section 15, of chapter 63, of the compiled laws, as amended by an act entitled "An act to amend section 1813, being section 15, of chapter 63, of the compiled laws, approved February 5th, 1859;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled joint resolution:

Senate joint resolution No. 14, entitled

Joint resolution asking Congress to provide a national system of free public schools for the destitute portions of the United States;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill:

Senate bill No. 162, entitled

A bill to establish a State public school for dependent and neglected children ;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

CHAS. E. HOLLAND, *Chairman*.

Report accepted.

On motion of Mr. Cameron,

The House concurred in the amendments made to the first four named bills by the committee, and they were placed on the order of third reading.

The next following twelve named bills and joint resolution were placed on the order of third reading.

On motion of Mr. Huston,

Leave was granted to the committee to sit again in consideration of the last named bill.

Mr. Huston, by unanimous consent, offered the following:

Resolved, That L. B. Curtis, Swamp Land State Road Commissioner, be requested to report to this House, forthwith, whether he devoted his entire time to the duties of said office during the two last years, and if not, what proportion of his time he has devoted to the duties of said office during said two years;

Which was adopted.

On motion of Mr. Pattengell,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

GENERAL ORDER.

On motion of Mr. C. B. Grant,

The House went into committee of the whole on the general order,

Mr. Holland in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. Senate bill No. 162, entitled

A bill to establish a State public school for dependent and neglected children;

2. House bill No. 412, entitled

A bill to exempt the county of Oakland from the operation of act No. 55, of the session laws of 1867, entitled "An act to provide for county superintendents of schools, and to amend section 91, and to repeal sections 74, 85, 86, 87, 88, 89, and 90, of chapter 78, of the compiled laws;"

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

3. House bill No. 411, entitled

A bill to amend chapter 12 of the revised statutes of 1846, entitled "The Board of State Auditors," by adding thereto three sections;

4. House bill No. 413, entitled

A bill to legalize the streets and highways within the corporate limits of the village of Benton Harbor;

5. Senate bill No. 151, entitled

A bill to amend sections 1662 and 1663 of the compiled laws, being sections 2 and 3 of the act entitled "Of the manufacture and sale of intoxicating drinks as a beverage," approved February 3, 1855;

6. Senate bill No. 173, entitled

A bill to amend sections 21 and 22, of an act entitled "An act for the incorporation of insurance companies, and defining their powers and duties," approved February 15, 1859, as amended by the several acts amendatory thereof;

7. Senate bill No. 9, entitled

A bill regulating the fees of judges of probate, clerks of courts, justices of the peace, and notaries public, in certain cases ;

8. House bill No. 414, entitled

A bill to change the name of George F. Carney to George F. Powers, and that he be constituted heir-at-law of Isaiah Start Powers and Mary Powers ;

9. House bill No. 415, entitled

A bill to facilitate the business of circuit court commissioners, and to repeal act number 6, of the session laws of 1869, approved January 30, 1869 ;

10. Senate bill No. 115, entitled

A bill to amend sections 5318 and 5323 of the compiled laws, being sections one and six, of chapter 162, entitled "Of writs of mandamus and prohibition ;"

11. Senate bill No. 206, entitled

A bill to amend section 10, of chapter 105, of the compiled laws, relative to filing of chattel mortgages ;

12. Senate bill No. 207, entitled

A bill to repeal act number 67, of the session laws of 1869, being an act entitled "An act to declare and establish the practice in charging or instructing juries, and in settling the law in cases tried in the circuit courts," approved March 26, 1869 ;

13. House bill No. 416, entitled

A bill to vacate the township of Algonquin, in Ontonagon county, and to attach the same to the township of Greenland, in said county.

14. Senate bill No. 64, entitled

A bill to regulate the transportation of freight and passengers, and the management of railroads of this State not incorporated under an act entitled "An act to provide for the incorporation of railroad companies," as approved February 12th, 1855 ;

15. Senate bill No. 190, entitled

A bill to enlarge the corporate limits of the village of Buchanan ;

16. Senate bill No. 217, entitled

A bill to attach certain territory, to-wit: Big Summer Island, St. Martin's, Gull, and Poverty islands, to Delta county;

17. House bill No. 418, entitled

A bill to repeal act number 145, of the session laws of 1863, entitled "An act to provide for the sale of swamp and primary school lands, in the mineral range of the Upper Peninsula, heretofore withheld from market as mineral lands," approved March 19th, 1863 ;

18. Senate bill No. 218, entitled

A bill appropriating one section of State swamp land to each mile of the Green Bay and Bay De Noquet State road in Menominee county, to secure the completion of the same ;

19. Senate bill No. 211, entitled

A bill to incorporate the village of Galien ;

20. House bill No. 420, entitled

A bill to provide for the drainage and reclamation of swamp lands by means of a State road and ditches, from the east arm of Grand Traverse bay to Manistee river, in Kalkaska county ;

21. House bill No. 421, entitled

A bill to change the names of James Selkrig, Hannah Selkrig, James Edward Selkrig, Henrietta Elizabeth Selkrig, Adde Bell Selkrig, and Charles Ellis Manly Selkrig, to Selkirk ;

22. House bill No. 422, entitled

A bill to amend section 5, of act No. 163, entitled "An act relative to laying out, altering, and discontinuing highways," approved March 15, 1861 ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills :

23. Senate bill No. 191, entitled

A bill to amend an act entitled "An act authorizing the locating, establishing, and constructing of ditches, drains, and water-courses by highway commissioners of townships, and repealing all acts relating thereto ;

24. House bill No. 370, entitled

A bill to incorporate the village of Negaunee under a special charter ;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled joint resolution :

Senate joint resolution No. 15, entitled

Joint resolution proposing an amendment to the constitution of the State of Michigan by adding a new section to article 19-A, "Of railroads," to stand as section three (3) of said article ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

CHAS. E. HOLLAND, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Walker,

The House concurred in the amendments made to the two first named bills by the committee, and they were placed on the order of third reading.

The twenty next named bills and joint resolution were placed on the order of third reading.

On motion of Mr. Pattengell,

The House concurred in the action of the committee in regard to the twenty-third named bill, and the enacting clause was laid on the table.

Mr. Atwood moved that the House non-concur in the action of the committee in regard to the twenty-fourth-named bill ;

Which motion did not prevail.

On motion of Mr. Greusel,

The House concurred in the action of the committee on said bill, and the enacting clause was laid on the table.

Mr. C. B. Grant, by unanimous consent, moved to take from the table

A bill to amend act No. 77, of the session laws of 1869, being an act in relation to life insurance companies transacting business within this State ;

Which motion prevailed.

On motion of Mr. C. B. Grant,

The bill was recommitted to the committee on insurance.

The committee on internal improvements, by unanimous consent, submitted the following report :

The committee on internal improvements, to whom was referred Senate bill No. 96, entitled

A bill to revise the laws providing for the incorporation of railroad companies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

Pending the question of concurring in the amendments,

On motion of Mr. Holt,

The bill was made the special order for to-morrow, at 2½ o'clock, and the amendments were ordered printed in the journal.

The following are the amendments:

Amend section 8 by striking out, in line 3, after the word "to," the words "an action," and insert "be assessed ;"

Strike out all of section 8 after the word "corporation," in line 4, and insert the following:

"Whenever any such execution shall have been returned unsatisfied, in whole or in part, as aforesaid, it shall be the duty of the board of directors of any such corporation, within sixty days thereafter, to assess a sum sufficient to pay such liabilities in full upon such persons as were the holders or owners of stock at the time such liability was incurred, *pro rata*, and to require the payment of the same to the treasurer of such corporation within sixty days from the date of such assessment; and to publish a notice of such assessment, at least once in each week for three successive weeks, in at least one newspaper in each county in which such road is located, in which a newspaper is published; and in case any such person should neglect or refuse, for the period of thirty days after the expiration of said sixty days, to pay such assessment, or any part thereof, it shall be the duty of such treasurer to sue for and collect the same, with costs of suit, in any court of competent jurisdiction; and in case any execution on any such judgment should be returned unsatisfied, in whole or in part, and the person against whom such judgment had been rendered should not have transferred his stock, it shall be the duty of the treasurer of such company to sell the stock of such person at public auction, to the highest bidder, at the office of such company, after publishing notice of such sale for the time and in the manner hereinbefore provided for publishing notice of such assessment; and in case a sufficient sum should not be realized by any such assessment, suit, or sale of stock, to cancel such liability, it shall be the duty of such board of directors to re-assess such stock from time to time, and to take such proceedings as are hereinbefore provided for, until the whole of such liability shall be paid in full. Such sums of money, when collected as aforesaid, shall be forthwith paid over by the treasurer of such company to such judgment creditor, and shall be used for no other or different purpose;"

Amend section 10, 9th subdivision, line 54, by inserting after the word "gauge" the following words: "or any railroad not exceeding thirty miles in length." In line 55, before the words "five cents," strike out the word "twenty," and after the words "five cents" insert the words "per mile;" at end of line 55, strike out "four" and insert "three and one-half;"

Section 10, 10th subdivision, in line 57, after the word "railroad," strike out the word "not," and after the word "exceeding," strike out "fifty" and insert "thirty." In line 58, strike out all after the word "charge;" line 59, strike out all; line 60, strike out all to and including the word "miles," and after the word "exceeding," strike out "three and one-half" and insert the word "three;"

Add to section 10, end of line 64, as follows: "Any railroad company doing business within this State shall be required to transport, without unnecessary delay, and in due order of time, without discrimination, except as to classification, all freight offered for transportation, and at uniform rates per mile: *Provided*, That such railroad company shall be entitled to charge and collect, in addition to their uniform rates per mile, for a distance not more than fifteen miles, one hundred per cent; for a distance not exceeding twenty-five miles, fifty per cent; and for a distance not exceeding fifty miles, twenty-five per cent;

Section 12, strike out all after the word "tender," in line 9, and all of line 10;

Section 18, line 13, strike out the word "circuit" before the word "court;"

Section 26, line 1, after the word "toll," insert the following: "or shall use indecent or profane language, or be disorderly in any passenger car, or refuse to obey such regulations as may be established for the convenience and safety of passengers;"

Section 28, strike out, in line 5, the words "any such," and add to line 5, the following: "to the party damaged;"

Section 29, amend by inserting in line 4, after the word

"injury," the following: "if the injury be occasioned by the person being improperly on such platform, or within such baggage or freight car, or after having been notified by the conductor, or any other person having charge of any train, that such person is not in the proper place;"

Section 37, strike out all of line 8 after the word "law;" all of lines 9, 10, 11, 12, and line 13, to and including the word "acquired," and insert "except real property not necessary for carrying on the ordinary operations or franchise of their road: *And provided*, Only such lands granted to any railroad company shall be liable to local taxation as are or may be opposite to or coterminous with the constructed portion or portions of said roads respectively;"

Add to section 55, as follows, to wit: "Nothing in this section contained shall be construed as in any manner affecting the franchises or privileges heretofore by law granted to the Paw Paw railroad company."

The committee on ways and means, by unanimous consent, submitted the following report:

The committee on ways and means, to whom was referred

A bill to provide for the re-assessment of certain taxes in the third ward of the city of Muskegon,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Holt,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Holt,

The bill was laid on the table and ordered printed.

Mr. Brockway moved that the House take a recess until 7:30 o'clock this evening.

Mr. Riford moved that the House adjourn :

Which motion did not prevail.

The question being on taking a recess,

Mr. Riford demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. E. R. Miller,
Adams.	R. J. Grant.	Millington,
Adsit,	Green,	J. M. Osborn,
Andrews.	Harris,	Phillips,
Brockway,	H. Haynes,	Rood,
Brown,	N. R. Hill.	Sumner,
Cherry.	Holland,	Tobey,
Climic,	Holt,	Van Scoy,
Coulter,	Houseman,	Walker,
Crane,	Huff,	Walton,
Doty,	Huston,	Webster,
Ferris.	Knapp,	Wells,
Ferry,	Lamb,	Speaker,
Garfield,		

40

NAYS.

Mr. Atwood,	Mr. Hart,	Mr. Norris,
Cameron,	J. Haynes,	Pattengell,
Chamberlain.	S. W. Hill,	Pearl,
Childs,	Hurlbut,	Pierson,
Clement,	Kellogg,	Post,
Cochrane,	Little,	Priest,
Copley	McGonegal,	Riford,
Edwards,	N. L. Miller,	Roost,
Gibson,	Minne,	Ross,
C. B. Grant.	W.H.C. Mitchell,	Runyan,
Gray,	Montgomery,	Smith,
Greusel,	Moshier,	Williams,
Haack,		

37

EVENING SESSION.

7:30 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Absent without leave: Messrs. Barnaby, Garrison, Hart, Hughes, Hurlbut, C. Y. Osburn, J. M. Osborn, Phillips, Smith, and Williams.

Mr. Cameron asked and obtained leave of absence for Mr. Hart for the evening.

Mr. Edwards asked and obtained leave to record his vote in the affirmative on House bill No. 364, entitled

A bill authorizing the State Treasurer to deliver the railroad bonds to the township or city depositing the same.

On motion Mr. Huston,

The House took up the order of

THIRD READING OF BILLS.

The Speaker called the Speaker *pro tem.* to the chair.

House bill No. 312, entitled

A bill to provide for the protection of fruit trees in Berrien county, Michigan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. C. B. Grant,	Mr. W. H. C. Mitchell
Adsit,	R. J. Grant,	Montgomery,
Andrews,	Gorman.	Moshier,
Bates,	Gray,	Norris,
Brockway,	Harris,	Pattengell,
Brown,	H. Haynes,	Riford,
Cameron.	J. Haynes,	Rood,
Chamberlain.	Haywood,	Roof,
Cherry,	S. W. Hill.	Roost,
Climie,	Holland,	Sumner,
Cochrane,	Holt,	Thayer,
Copley,	Houseman.	Tobey,
Crofoot,	Hoyt,	Van Scoy,
Doty,	Knapp,	Walker,
Edwards.	Lamb,	Walton,

Mr. Ferris, Ferry, Garfield, Gibson, Gillam,	Mr. Little, McGonegal, E. R. Miller, Millington, Minne,	Mr. Webster, Wells, White, Speaker <i>pro tem.</i> , 59
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NAYS.

Mr. Childs, Coulter, Crane, Green, Greusel,	Mr. Huff, Kellogg, N. L. Miller, Pearl,	Mr. Post, Priest, Ross, Runyan, 13
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Title agreed to.

On motion of Mr. Riford,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House joint resolution No. 25, entitled

Joint resolution to provide for the delivery of the railroad bonds in the office of the State Treasurer,

Being under consideration,

On motion of Mr. Edwards,

The joint resolution was referred to the committee on judiciary.

Senate bill No. 185, entitled

A bill to amend section 30, of act No. 169, of session laws of 1869, being an act to provide for the uniform assessment of property, and for the collection and return of taxes thereon, approved April 6th, 1859,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam, Adsit, Brockway, Brown, Cameron, Chamberlain, Cherry, Childs, Cochrane,	Mr. Gillam, C. B. Grant, R. J. Grant, Gray, Green, Greusel, Haack, Harris, H. Haynes,	Mr. Lamb, Little, McGonegal, W.H.C. Mitchell, Moshier, Norris, Phillips, Pierson, Post,
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Mr. Congdon,	Mr. J. Haynes,	Mr. Riford,
Copley,	Hazen,	Roof,
Coulter,	N. R. Hill,	Roost,
Crane,	S. W. Hill,	Ross,
Crofoot,	Holland,	Thayer,
Fenton,	Holt,	Walton,
Ferris,	Houseman,	Webster,
Ferry,	Hoyt,	Wells,
Garfield,	Huff,	Speaker <i>pro tem.</i> ,
Gibson,	Knapp,	56

NAYS.

Mr. Andrews,	Mr. Millington,	Mr. Tobey,
Edwards,	Minne,	Walker,
Gorman,	Rood,	White,
E. R. Miller,	Sumner,	11

Title agreed to.

Mr. Gray, by unanimous consent, moved to take from the table Senate bill No. 60, entitled

A bill to amend section 106, act 169, laws of 1869, being an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon ;

Which motion prevailed.

The question being on the passage the bill,

The bill was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. C. B. Grant,	Mr. Kellogg,
Adams,	R. J. Grant,	Knapp,
Adsit,	Gray,	Lamb,
Atwood,	Green,	McGonegal,
Bates,	Harris,	R. C. Miller,
Brockway,	H. Haynes,	W.H.C. Mitchell,
Brown,	J. Haynes,	Norris,
Cameron,	Haywood,	Phillips,
Cherry,	Hazen,	Post,
Childs,	N. R. Hill,	Priest,
Cochranc,	S. W. Hill,	Riford,
Congdon,	Holland,	Roof,
Doty,	Holt,	Thayer,
Fenton,	Houseman,	Wells,
Gibson,	Hoyt,	Speaker <i>pro tem.</i> ,
Gillam,		46

NAYS.

Mr. Andrews,	Mr. Greusel,	Mr. Rood,
Chamberlain.	Haack,	Roost,
Clement,	Huff,	Ross,
Copley,	E. R. Miller,	Runyan,
Coulter,	N. L. Miller,	Sumner,
Crane,	Millington,	Tobey,
Crofoot,	Minne,	Van Scoy,
Edwards,	Moshier,	Walker,
Ferris,	Pattengell,	Walton,
Ferry,	Pearl,	Webster,
Garfield,	Pierson,	White,
Gorman,		

34

House bill No. 262, entitled

A bill to incorporate the village of Cheboygan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. Moshier,
Adams,	Gorman,	Norris,
Adsit,	Green,	Pattengell,
Andrews,	Greusel,	Pearl,
Brockway,	Haack,	Phillips,
Brown,	Harris,	Pierson,
Cameron,	H. Haynes,	Post,
Chamberlain,	J. Haynes,	Priest,
Cherry	Haywood,	Riford,
Childs,	Hazen,	Rood,
Clement,	N. R. Hill,	Roof,
Cochrane,	S. W. Hill,	Roost,
Congdon,	Holland,	Ross,
Copley,	Houseman,	Runyan,
Crane,	Hoyt,	Sumner,
Crofoot,	Huff,	Thayer,
Doty,	Kellogg,	Tobey,
Edwards,	Knapp,	Van Scoy,
Fenton,	Lamb,	Walker,
Ferris,	McGonegal,	Walton,
Ferry,	E. R. Miller,	Webster,
Garfield,	R. C. Miller,	Wells,
Gibson,	Minne,	White,
Gillam,	W.H.C. Mitchell,	Speaker <i>pro tem.</i> ,
C. B. Grant,		

73

NAYS.

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Title agreed to.

On motion of Mr. Andrews,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 359, entitled

A bill to provide for laying out and constructing a State road in the county of Huron, and State of Michigan, and making an appropriation of State swamp land therefor, to be known as the extension of the Port Austin and Sanilac State road,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Atwood,	Mr. Harris,	Mr. Pearl,
Bates,	J. Haynes,	Phillips,
Brockway,	Haywood,	Rood,
Brown,	Hazen,	Roof,
Cameron,	S. W. Hill,	Runyan,
Clement,	Holland,	Sumner,
Congdon,	Hoyt,	Thayer,
Doty,	R. C. Miller,	Walker,
Fenton,	W.H.C. Mitchell,	Wells,
Gray,	Moshier,	Speaker <i>pro tem.</i> ,
Haack,	Norris,	32

NAYS.

Mr. Adam,	Mr. Gibson,	Mr. E. R. Miller,
Adams,	Gillam,	N. L. Miller,
Andrews,	C. B. Grant,	Millington,
Chamberlain,	R. J. Grant,	Minne,
Cherry,	Gorman,	Pattengell,
Childs,	Green,	Pierson,
Climie,	Greusel,	Post,
Cochrane,	H. Haynes,	Priest,
Copley,	N. R. Hill,	Riford,
Coulter,	Holt,	Roost,
Crane,	Houseman,	Ross,
Crofoot,	Huff,	Tobey,
Edwards,	Kellogg,	Van Scoy,
Ferris,	Knapp,	Walton,
Ferry,	Lamb,	Webster,
Garfield,	McGonegal,	White,
		48

House bill No. 367, entitled

A bill to amend section 124, of act number 169, of the session laws of 1869, entitled "An act to provide a uniform assessment of property, and for the collection and return of taxes thereon," approved April 9, 1869,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gibson,	Mr. R. C. Miller,
Adams,	Gillam,	Millington,
Adsit,	C. B. Grant,	W.H.C. Mitchell,
Andrews,	R. J. Grant,	Norris,
Atwood,	Gorman,	Pattengell,
Bates,	Gray,	Pearl,
Brockway,	Green,	Phillips,
Cameron,	Greusel,	Pierson,
Chamberlain,	Haack,	Post,
Cherry,	Harris,	Priest,
Childs,	H. Haynes,	Roof,
Clement,	Haywood,	Roost,
Climie,	Hazen,	Ross,
Cochrane,	N. R. Hill,	Sumner,
Congdon,	S. W. Hill,	Swineford,
Coulter,	Holland,	Thayer,
Crane,	Houseman,	Tobey,
Crofoot,	Hoyt,	Van Scoy,
Doty,	Huff,	Walker,
Edwards,	Kellogg,	Walton,
Fenton,	Knapp,	Webster,
Ferris,	McGonegal,	Wells,
Ferry,	E. R. Miller,	White,
Garfield,	N. L. Miller,	Speaker <i>pro tem.</i> ,

72

NAYS.

Mr. Copley,	Mr. Lamb,	Mr. Rood,	
Holt,	Minne,	Runyan,	6

Title agreed to.

Mr. N. L. Miller moved to reconsider the vote by which the House refused to pass Senate bill No. 60, entitled

A bill to amend section 106, act 169, laws of 1869, being an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon ;

Which motion prevailed.

Mr. Andrews moved to lay the bill on the table ;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. E. R. Miller,
Adams,	C. B. Grant,	N. L. Miller,
Adsit.	R. J. Grant,	R. C. Miller,
Andrews,	Gray,	Millington,
Atwood,	Green,	W.H.C.Mitchell,
Bates,	Haack,	Norris,
Brockway,	Harris,	Pattengell,
Brown,	H. Haynes,	Pearl,
Cameron,	J. Haynes,	Phillips,
Chamberlain,	Haywood,	Pierson,
Cherry,	Hazen,	Post,
Childs,	N. R. Hill,	Priest.
Climie,	S. W. Hill,	Roof,
Cochrane,	Holland,	Ross,
Congdon.	Holt,	Runyan,
Crane,	Houseman.	Swineford,
Crofoot.	Hoyt,	Thayer,
Doty,	Huff,	Tobey,
Fenton.	Kellogg,	Walker,
Ferris,	Knapp,	Walton,
Ferry,	Lamb,	Wells,
Garfield,	McGonegal,	Speaker <i>pro tem.</i> ,
Gibson,		67

NAYS.

Mr. Clement,	Mr. Greusel,	Mr. Sumner,
Copley,	Minne,	Van Scoy,
Coulter,	Rood,	Webster,
Edwards,	Roost,	White,
Gorman,		13

Title agreed to.

Mr. Pattengell, by unanimous consent, moved to take from the table House bill No. 409, entitled

A bill to vacate one mile of the Detroit river plank road, in the town of Springwells ;

Which motion prevailed.

The question being on the passage of the bill,

The bill was not passed, two-thirds of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	R. J. Grant,	Mr. W.H.O. Mitchell,
Andrews,	Gorman,	Moshier,
Brockway,	Green,	Norris,
Brown,	Greusel,	Pattengell,
Cameron,	Haack,	Pearl,
Chamberlain,	H. Haynes,	Phillips,
Cherry,	Hazen,	Post,
Childs,	Holt,	Riford,
Congdon,	Houseman,	Sumner,
Copley,	Kellogg,	Thayer,
Crofoot,	Knapp,	Tobey,
Doty,	Lamb,	Walker,
Edwards,	E. R. Miller,	Walton,
Fenton,	N. L. Miller,	Webster,
Ferry,	R. C. Miller,	Wells,
Garfield,	Millington,	Speaker <i>pro tem.</i> ,
Gibson,	Minne,	50

NAYS.

Mr. Adams,	Mr. Gray,	Mr. Priest,
Adsit,	Harris,	Rood,
Atwood,	J. Haynes,	Roof,
Bates,	Haywood,	Roost,
Clement,	N. R. Hill,	Ross,
Climie,	Holland,	Runyan,
Cochrane,	Hoyt,	Swineford,
Crane,	Huff,	Van Scoy,
Ferrie,	McGonegal,	White,
Gillam,	Pierson,	29

Mr. Swineford, by unanimous consent, moved to take from the table the enacting clause of House bill No. 370, entitled

A bill to incorporate the village of Negaunce under a special charter;

Which motion prevailed.

On motion of Mr. Gillam,

The vote by which all after the enacting clause of the bill was stricken out, was reconsidered.

The question being on striking out all after the enacting clause.

The motion did not prevail.

On motion of Mr. Swineford,

The bill was then recommitted to the committee on banks and incorporations.

Mr. Bates, by unanimous consent, moved to take from the table House manuscript bill, entitled

A bill for the relief of Milo R. Campbell;

Which motion prevailed.

On motion of Mr. Bates,

The bill was referred to the committee on religious and benevolent societies.

Senate joint resolution No. 14, entitled

Joint resolution asking Congress to provide a national system of free public schools for destitute portions of the United States,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Gibson,	Mr. Norris,
Andrews,	R. J. Grant,	Phillips,
Atwood,	Gray,	Post,
Bates,	Green,	Priest,
Brockway,	Greusel,	Riford,
Brown,	Haack,	Roost,
Cameron,	J. Haynes,	Sumner,
Cherry,	Hazen,	Thayer,
Climie,	Holland,	Van Scoy,
Cochrane,	Housemau,	Walker,
Congdon,	Hoyt,	Walton,
Crane,	McGonegal,	Wells,
Crofoot,	Millington,	Speaker <i>pro tem.</i> ,
Garfield,	W.H.C. Mitchell,	41

NAYS.

Mr. Adam,	Mr. N. R. Hill,	Mr. Pearl,
Adsit,	Huff,	Pierson,
Chamberlain,	Kellogg,	Rood,
Clement,	Knapp,	Roof,
Edwards,	E. R. Miller,	Ross,
Ferris,	N. L. Miller,	Runyan,

Mr. Ferry,	Mr. R. C. Miller,	Mr. Swineford,	
Gillam,	Minne,	Tobey,	
Gorman,	Moshier,	Webster,	
Harris,	Pattengell,	White,	
H. Haynes,			31

On motion of Mr. Webster,
The House adjourned.

Lansing, Tuesday, April 11, 1871.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Knowles.

Roll called; quorum present.

Mr. Edwards asked and obtained leave of absence for himself until Thursday noon.

PRESENTATION OF PETITIONS.

By Mr. Cochrane: Petition of S. D. Elwood, M. W. Field, W. B. Wesson, and 85 others, citizens of Hamtramck, asking for the passage of Senate bill No. 88, relating to a police force in Hamtramck and Springwells;

Referred to the committee on banks and incorporations.

REPORTS OF STANDING COMMITTEES.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill No. 167, being

A bill to amend an act entitled "An act relative to the letting of contracts by State officers, boards of control, inspectors, or commissioners," being act 171, of session laws of 1861, approved March 15th, 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred a joint resolution, entitled

Joint resolution instructing the Auditor General to discharge certain mortgages,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

L. COCHRANE, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Huston,

The rules were suspended, and the bill was placed on the general order without being printed.

By the committee on judiciary:

The committee on judiciary, to whom was referred Senate bill No. 14, entitled

A bill to provide for vacating cemetery plats and cemetery grounds in the limits of incorporated cities and villages,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

L. COCHRANE, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. McGonegal.

The House concurred in the amendment made to the bill by the committee.

The question being on the passage of the bill,

The bill was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam.	Mr. Greusel,	Mr. R. C. Miller,	
Adams.	Grosvenor,	Millington,	
Adsit,	Haack,	Montgomery,	
Andrews,	Harris,	Moshier,	
Atwood,	Hart,	J. M. Osborn,	
Brockway.	H. Haynes,	Pattengell,	
Brown,	J. Haynes,	Phillips,	
Chamberlain.	Haywood,	Pierson,	
Childs,	Hazen,	Post,	
Clement,	N. R. Hill,	Priest,	
Climie,	Holland,	Rood,	
Cochrane.	Holt,	Roof,	
Congdon.	Houseman,	Roost,	
Crane.	Hoyt,	Runyan.	
Doty,	Huff,	Smith,	
Edwards,	Hurlbut,	Sumner,	
Ferris,	Huston,	Tobey,	
Garfield.	Kellogg,	Van Scoy.	
Gibson.	Knapp,	Walton,	
Gillam.	Lamb,	White,	
C. B. Grant.	Little,	Williams.	
Gorman.	E. R. Miller,		65

NAYS.

Mr. Cameron.	Mr. Ferry,	Mr. Norris,	
Cherry,	R. J. Grant,	Pearl,	
Copley,	Green,	Walker,	
Coulter.	Hughes,	Webster,	
Crofoot,	Minne,	Speaker.	15

Title agreed to.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to amend sections 23 and 25, of chapter 72, of the revised statutes of 1846, being sections 2938 and 2940 of the compiled laws, relative to appeals from the decision of commissioners on the estates of deceased persons.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands :

The committee on public lands, to whom was recommitted House bill No. 237, entitled

A bill to provide for the improvement and completion of the Mineral Range State road extension, and the Ontonagon and State line State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN HAYNES, *Acting Chairman.*

Report accepted and committee discharged.

The question being on the passage of the bill,

The bill was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adams,
Adsit,
Andrews,
Atwood,
Barnaby,
Brockway,
Brown,
Cameron,
Clement,
Cochrane,
Congdon,

Mr. Harris,
Hart,
H. Haynes,
J. Haynes,
Haywood,
Hazen,
N. R. Hill,
Holland,
Houseman,
Hoyt,
Hughee,

Mr. Montgomery,
Moshier,
Norris,
J. M. Osborn,
Pattengell,
Pearl,
Phillips,
Pierson,
Rood,
Roof,
Roost.

Mr. Copley,	Mr. Hurlbut,	Mr. Runyan,
Crofoot,	Huston,	Smith,
Doty,	Little,	Sumner,
Edwards,	McGonegal,	Swineford,
Fenton,	E. R. Miller,	Thayer,
Gibson,	R. C. Miller,	Webster,
Gillam,	Millington,	Wells,
C. B. Grant,	P. Mitchell,	White,
Gorman,	W.H.C. Mitchell,	Speaker,
Haack,		

61

NAYS.

Mr. Chamberlain,	Mr. Ferris,	Mr. Minne,
Cherry,	Garfield,	Tobey,
Childs,	R. J. Grant,	Van Scoy,
Climie,	Greusel,	Walker,
Coulter,	Huff,	Walton,
Crane,	Knapp,	Williams,

18

Title agreed to.

On motion of Mr. Harris,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on Reform School and State Prison :

The committee on Reform School and State Prison, to whom was referred Senate bill No. 150, entitled

A bill to provide for the punishment and detention of certain persons in the Detroit House of Correction, and to repeal Act No. 145 of the laws of 1869, relative to the same subject,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. C. HOYT, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State Prison :

The committee on State Prison, to whom was referred Senate bill No. 146, entitled

A bill to provide for the appointment of a board of commissioners for the general supervision of penal, pauper, and reformatory institutions, and defining their duties and powers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HARVEY HAYNES, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State Prison:

The committee on State Prison, to whom was recommitted Senate bill No. 97, entitled

A bill to provide for repairing the State Prison, and for making certain additions and repairs thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HARVEY HAYNES, *Chairman.*

Report accepted and committee discharged.

The question being on the passage of the bill,

The bill was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Adsit,
Andrews,
Atwood,
Barnaby,
Brockway,
Brown,

Mr. Gillam,
C. B. Grant,
Greusel,
Haack,
Harris,
H. Haynes,
Haywood,
N. R. Hill,

Mr. Montgomery,
Moshier,
Norris,
J. M. Osborn,
Pattengell,
Pearl,
Phillips,
Pierson,

Mr. Cameron,	Mr. S. W. Hill,	Mr. Priest,	
Chamberlain,	Holland,	Rood,	
Cherry,	Holt,	Roof,	
Childs,	Hoyt,	Roost,	
Olement,	Huff,	Runyan,	
Climic,	Hughes,	Smith,	
Cochrane,	Kellogg,	Sumner,	
Congdon,	Knapp,	Swineford,	
Copley,	Lamb,	Thayer,	
Coulter,	Little,	Tobey,	
Crane,	McGonegal,	Van Scoy,	
Crofoot,	E. R. Miller,	Walker,	
Doty,	R. C. Miller,	Walton,	
Edwards,	Millington,	Webster,	
Ferrie,	Minne,	Wells,	
Garfield,	P. Mitchell,	White,	
Gibson,	W.H.C. Mitchell,	Speaker,	75
	NAYS.		

Mr. Williams, 1

Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred Senate bill No. 152, being

A bill to amend chapter 24, of the compiled laws, entitled "Of the regulation of ferries," by repealing sections 3 and 4 of said chapter, and by adding a new section thereto, providing for the laying out, constructing, maintaining, altering, or discontinuing of ferry landings, and for the use of highways or such landings,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges :

The committee on roads and bridges, to whom was referred Senate bill No. 175, being

A bill to amend section 1, of an act entitled "An act relative to laying out, altering, and discontinuing highways," approved March 15th, 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary :

The committee on judiciary, to whom was recommitted House bill No. 76, entitled

A bill to provide for the better security of mechanics and other persons furnishing labor or materials for the erection, altering, repairing, beautifying or ornamenting of buildings in the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

L. COCHRANE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Gillam,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. H. Haynes,

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred a bill entitled

A bill to grant further time to the supervisor of the township of Kalamazoo, to perfect the assessment roll of said township,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

M. M. ATWOOD, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brown,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Atwood,

The rules were suspended, and the bill was placed upon its immediate passage,

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. R. J. Grant,	Mr. Pattengell,
Adsit,	Greusel,	Pearl,
Atwood,	Haack,	Pierson,
Barnaby,	Harris,	Priest,
Brockway,	H. Haynes,	Rood,
Brown,	Haywood,	Roof,
Cameron,	Holland,	Roost,
Chamberlain,	Hoyt,	Runyan,
Cherry,	Huff,	Smith,
Childs,	Hughes,	Sumner,

Mr. Climie,	Mr. Hurlbut,	Mr. Swineford,	
Congdon,	Kellogg,	Tobey,	
Copley,	Knapp,	Van Scoy,	
Crane,	Little,	Walker,	
Crofoot,	McGonegal,	Walton,	
Doty,	E. R. Miller,	Webster,	
Edwards,	R. C. Miller,	Wells,	
Ferris,	Millington,	White,	
Garfield,	Moshier,	Williams,	
Gibson,	Norris,	Speaker,	
Gillam,	J. M. Osborn,		62
	NAYS.		0

The question being on agreeing to the title,

On motion of Mr. Atwood,

The title was amended so as to read as follows :

A bill to regulate and prescribe the time for the review and perfection of the assessment rolls of the township of Kalamazoo, in the county of Kalamazoo, and State of Michigan, and to qualify the provisions of act number 169, of the session laws of 1869, relating thereto.

The title, as amended, was then agreed to.

On motion of Mr. Cameron,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on banks and incorporations :

The committee on banks and incorporations, to whom was recommitted House bill No. 370, entitled

A bill to incorporate the village of Negaunee under a special charter,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and ask to be discharged from the further consideration of the subject.

J. M. OSBORN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Moshier,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Swineford,

The bill was placed on its final passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Adam moved to amend the bill by striking out all of section 20 ;

Which motion did not prevail.

Mr. Adams moved to reconsider the vote by which the House refused to strike out section 20 ;

Which motion prevailed.

The motion to amend did not prevail.

On motion of Mr. Hurlbut,

The bill was recommitted to the committee on banks and incorporations, with instructions to amend the same by striking out section 20.

By the committee on education :

The committee on education, to whom was referred

A bill to set off a portion of school district No. 4, in the town of Leighton, county of Allegan, and join the same to school district No. 2, in the township of Wayland, and county of Allegan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

W. H. C. MITCHELL, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brown,

The bill was laid on the table.

By the committee on education :

The committee on education, to whom was referred

A bill to amend section 107, of act 110, of the session laws

of 1869, approved March 15, 1869, relative to assessment of a two-mill tax for support of schools,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject

R. B. HUGHES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brown,

The bill was laid on the table.

By the committee on geological survey:

The committee on geological survey, to whom was recommended House bill No. 355, entitled

A bill to amend sections 4, 6, and 9, and repeal section 7, of an act entitled "An act to provide for the further geological survey of the State," approved March 26th, 1869,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

I. R. GROSVENOR, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brown,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Holt,

The bill was placed on its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Brockway moved to amend the bill by inserting at the end of section 5, the following: "and each of the incorporated colleges of the State;"

Which motion prevailed.

Mr. Olimie moved to amend the bill by striking out, in lines 3 and 4, section 9, the words "one half of which sum or sums shall be expended in the Upper Peninsula;"

Which motion prevailed.

On motion of Mr. Brockway,

The bill was amended by adding at the end of section 5, the words "and in a room in connection with the State Library."

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Greusel,	Mr. Millington,
Adams,	Grosvenor,	P. Mitchell,
Adsit,	Haack,	W.H.O. Mitchell
Andrews,	Harris,	Moshier,
Atwood,	Hart,	J. M. Osborn,
Brown,	H. Haynes,	Pattengell,
Cameron,	J. Haynes,	Priest,
Chamberlain,	Haywood,	Rood,
Childs,	Hazen,	Roof,
Clement,	S. W. Hill,	Runyan,
Climie,	Holland,	Sumner,
Cochrane,	Holt,	Swineford
Copley,	Houseman,	Thayer,
Coulter,	Hoyt,	Tobey,
Crane,	Huff,	Van Scoy,
Crofoot,	Hughes,	Walker,
Doty,	Hurlbut,	Walton,
Fenton,	Lamb,	Webster,
Ferris,	Little,	Wells,
Garfield,	McGonegal,	Williams,
Gillam,	E. R. Miller,	Speaker,
C. B. Grant,	N. L. Miller,	

65

NAYS.

Mr. Brockway,	Mr. Knapp,	Mr. Phillips,
Gibson,	R. C. Miller,	Pierson,
R. J. Grant,	Minne,	Roost,
N. R. Hill,	Norris,	Smith,
Kellogg,		

13

The question being on agreeing to the title,

On motion of Mr. Holt, the title was amended so as to read as follows:

A bill to amend sections 1, 3, 4, 5, 6, 8, and 9, and repeal sections 2 and 7, of an act entitled "An act to provide for the further geological survey of the State," approved March 26th, 1869.

The title, as amended, was then agreed to

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on apportionment:

The committee on apportionment, to whom was referred Senate bill No. 186, being

A bill for the apportionment of Senators in the State Legislature,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

EZRA HAZEN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. N. L. Miller,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. Hazen,

The rules were suspended, and the bill was placed on its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. R. J. Grant moved to amend the bill by striking out, in line 27, the word "Eaton," and inserting the word "Barry" in lieu thereof;

Which motion did not prevail.

Mr. Houseman moved to amend the bill by striking out, in line 51, the word "Newaygo," and inserting the word "Me-costa" in lieu thereof;

Which motion did not prevail.

Mr. Lamb moved to amend the bill by striking out, in the 36th line, the words "and Huron," and by adding between the words "Lapeer" and "Sanilac," the word "and;"

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. J. Haynes,	Mr. Montgomery,
Adams,	Haywood,	Moshier,
Adsit,	Hazen,	Norris,
Andrews,	N. R. Hill,	J. M. Osborn,
Brockway,	Holland,	Pattengell,
Brown,	Holt,	Pearl,
Cameron,	Houseman,	Pierson,
Chamberlain,	Hoyt,	Post,
Cherry,	Huff,	Priest,
Climie,	Hughes,	Rood,
Crane,	Hurlbut,	Roof,
Crofoot,	Huston,	Runyan,
Doty,	Kellogg,	Sumner,
Edwards,	Knapp,	Swineford,
Ferris,	Little,	Thayer,
Garfield,	McGonegal,	Tobey,
Gillam,	E. R. Miller,	Van Scoy,
C. B. Grant,	N. L. Miller,	Walker,
R. J. Grant,	R. C. Miller,	Walton,
Greusel,	Millington,	Webster,
Haack,	Minne,	Wells,
Harris,	P. Mitchell,	Williams,
Hart,	W.H.C. Mitchell,	Speaker,
H. Haynes,		

70

NAYS.

Mr. Atwood,	Mr. Fenton,	Mr. Lamb,
Coulter,		
Title agreed to.		

4

On motion of Mr. Brockway,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on apportionment:

The committee on apportionment, to whom was referred House bill No. 173, being

A bill to apportion anew the Representatives among the several counties and districts of this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

EZRA HAZEN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Montgomery,

The bill was amended by striking out the word "seat," wherever it occurs after the word "county."

Mr. N. L. Miller moved that the House concur in the adoption of the substitute reported by the committee.

Mr. Climie moved that the bill be laid on the table, and the substitute be printed;

Which motion did not prevail.

The House then concurred in the adoption of the substitute reported by the committee.

Mr. Hazen moved that the bill be placed on its immediate passage;

Which motion did not prevail.

On motion of Mr. Holland,

The bill was placed on the order of third reading.

By the committee on insurance:

The committee on insurance, to whom was referred

A bill to amend act No. 77, of session laws of 1869, being an act in relation to life insurance companies transacting business within this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

SAMUEL POST, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. C. B. Grant,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. C. B. Grant,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. Pattengell,
Adams,	Green,	Pearl,
Adsit,	Grosvenor,	Phillips,
Andrews,	Hart,	Pierson,
Barnaby,	J. Haynes,	Post,
Brown,	N. R. Hill,	Priest,
Cameron,	S. W. Hill,	Rood,
Chamberlain,	Holland,	Roof,
Cherry,	Holt,	Roost,
Childs,	Houseman,	Runyan,
Climie,	Huff,	Smith,
Cochrane,	Kellogg,	Sumner,
Congdon,	Knapp,	Swineford,
Coulter,	Lamb,	Thayer,
Crane,	Little,	Tobey,
Crofoot,	N. L. Miller,	Van Scoy,
Doty,	R. C. Miller,	Walker,
Fenton,	Millington,	Walton,
Ferris,	P. Mitchell,	Webster,
Ferry,	W.H.C. Mitchell,	Wells,
Garfield,	Montgomery,	Williams,
Gillam,	Norris,	Speaker,
C. B. Grant,	J. M. Osborn,	

68

NAYS.

0

The question being on agreeing to the title,

On motion of Mr. C. B. Grant,

The title was amended so as to read as follows :

A bill to amend section ten, of an act entitled "An act in relation to life insurance companies transacting business within this State," approved March 30th, 1869, as amended by an act to amend sections ten and twelve, of an act entitled "An act in relation to life insurance companies transacting business within this State," approved March 30th, 1869, and to add three new sections thereto, to stand as sections twenty-seven, twenty-eight, and twenty-nine, approved April 5th, 1871.

The title, as amended, was then agreed to.

On motion of Mr. Post,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following :

AUDITOR GENERAL'S OFFICE, }
Lansing, April 10, 1871. }

To the Speaker of the House of Representatives :

SIR—I have the honor to acknowledge the receipt, this day, of the following House resolution, viz :

"*Resolved*, That the Auditor General of the State be and he is hereby requested, at his earliest convenience, to inform this House what amount is now due the county of Calhoun as interest from the swamp land fund on account of lands sold from that county;"

And to inform you that there are no data in the Auditor General's office from which the information asked therein can be derived.

Very respectfully,

WM. HUMPHREY,

Auditor General.

The communication was laid on the table.

The Speaker announced that the hour fixed for the joint convention had arrived.

Mr. Brockway moved that a committee of three be appointed to wait on the Senate, and inform that body that the House is now ready to receive them in joint convention ;

Which motion prevailed.

The Speaker appointed Messrs. Brockway, Priest, and Congdon as such committee.

After a short absence, the committee reported that they had performed the duty assigned them, and were discharged.

The Sergeant-at-Arms announced the Honorable the Senate, who were conducted to seats.

PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by the Hon. A. B. Wood, President *pro tem.* of the Senate.

The roll of the Senate was called by the Secretary thereof, and a quorum was reported present.

The roll of the House was called by the Clerk thereof, and a quorum was reported present.

The President announced that the joint convention had assembled to receive and consider any nominations which his Excellency the Governor might desire to make.

Senator Jenks moved that a committee of three be appointed to wait on the Governor, and inform him that the joint convention has assembled, and is ready to receive any communication which he may be pleased to make.

The President appointed Senator Jenks, and Representatives S. W. Hill and Little, as such committee.

After a short absence, the committee reported that they had performed the duty assigned them, and that the Governor would communicate immediately with the joint convention, in writing.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the joint convention the following message from his Excellency the Governor, in writing:

EXECUTIVE OFFICE, }
Lansing, April 11, 1871. }

To the Legislature, in Joint Convention :

I hereby nominate to the office of State Building Commissioners, Ebenezer O. Grosvenor of Hillsdale, James Shearer of Bay, and Alexander Chapaton of Wayne.

I also nominate to the office of Trustee of the Michigan Institution for educating the deaf, and dumb, and the blind, Charles G. Johnson, of Monroe, for the term of six years, in place of Daniel L. Case, whose term of office has expired.

I also nominate to the office of Adjutant General, John Robertson.

I also nominate to the office of Quartermaster General, William A. Throop.

I also nominate Russell A. Alger to the office of Inspector General.

HENRY P. BALDWIN.

Senator Randall moved that the joint convention do advise and consent to all the nominations made by the Governor in his message, *in gross* ;

Which motion prevailed.

The question being upon advising and consenting to the nominations contained in the message of the Governor,

The Secretary of the Senate called the roll of the Senate, with the following result:

YEAS.

Mr. Alexander,	Mr. Hannahs,	Mr. Romeyn,	
Ball,	Hatheway,	Sheley,	
Begole,	Jenks,	Stockbridge,	
Bennett,	Mann,	Stoddard,	
Briggs,	Moffatt,	Storrs,	
Cawley,	Morton,	Waterbury,	
Cravath,	Neasmith,	Wheeler,	
Dexter,	Price,	White,	
Emerson,	Putnam,	Wilcox,	
Gay,	Randall,	Wood,	30

NAYS.

0

The Clerk of the House called the roll of the House, with the following result:

YEAS.

Mr. Adam,	Mr. Green,	Mr. W. H. C. Mitchell,
Adams,	Greusel,	Montgomery,
Adsit,	Grosvenor,	Moshier,
Andrews,	Haack,	Norris,
Atwood,	Harris,	O. Y. Osburn,
Barnaby,	Hart,	J. M. Osborn,
Bates,	H. Haynes,	Pattengell,
Brockway,	J. Haynes,	Pearl,
Brown,	Haywood,	Phillips,
Cameron,	Hazen,	Pierson,
Chamberlain,	N. R. Hill,	Post,
Cherry,	S. W. Hill,	Priest,
Ohilds,	Holland,	Rood,
Clement,	Holt,	Roof,
Climie,	Houseman,	Roost,
Cochrane,	Hoyt,	Ross,
Congdon,	Huff,	Runyan,
Copley,	Hughes,	Smith,
Coulter,	Hurlbut,	Sumner,
Crane,	Huston,	Swineford,
Crofoot,	Kellogg,	Thayer,
Doty,	Knapp,	Tobey,
Fenton,	Lamb,	Van Scoy,
Ferris,	Little,	Walker,
Ferry,	McGonegal,	Walton,
Garfield,	E. R. Miller,	Webster,
Gibson,	N. L. Miller,	Wells,
Gillam,	R. C. Miller,	White,
C. B. Grant,	Millington,	Williams,
R. J. Grant,	Minne,	Speaker,
Gorman,	P. Mitchell,	

92

NAYS.

0

The President *pro tem.* announced that a majority of all the members of the joint convention having voted in favor of advising and consenting to the nominations of the Governor contained in his message to the joint convention, they were duly advised and consented to.

Representative Millington then addressed the joint convention as follows:

Mr. President :—The enjoyment of political and religious liberty is so universally acknowledged in this nation, that the historical events connected therewith are seldom passed in review in contrast with the oppression and tyranny which preceded its consummation.

From the existence of these discordant elements, and the development of mind in cultivating the sentiment of self-defense, and a knowledge of the inherent rights of man, we are indebted for our liberties.

Men sometimes make circumstances, but circumstances produce results in the development of mind commensurate with the magnitude of the subject under reflection.

The history of the man I design summarily to give, dates back 133 years. His history is closely connected with that of this government, having been indentified with its administration from the beginning. He was a native of Annapolis, Md., and was instructed in the best schools of Paris and London. He inherited a vast estate, and at the commencement of the Revolutionary war was worth \$2,000,000. In 1770 and 1771 he wrote articles, under the signature of the "First Citizen," against the rights of the government to regulate fees by proclamation.

About this time, in conversation with Judge Chase, the latter remarked :

"We have the better of our opponents. We have completely written them down."

"Do you think, Judge, that writing will settle the question between us?"

"To be sure," replied Chase; "what else can we resort to?"

"The *bayonet*!" he replied.

Some years before the commencement of open hostilities, Mr. Graves, a Member of Parliament, wrote him on the subject of our troubles, ridiculing the idea of our resistance, and said that 6,000 English troops would march from one end of the Continent to the other.

"So they might," replied our able defender; "but they will be masters of the spot only on which they encamp. They will find naught but enemies before them. If we are beaten in the plains, we will retreat to the mountains and defy them. Our resources will increase with our difficulties."

About that time a cargo of tea was imported from London, and landed at Annapolis, contrary to the regulations of the Convention. By the advice of him whose history I am relating, the vessel, together with the tea she contained, with sails set and colors flying, was given to the flames, to the satisfaction of the dense crowd assembled to witness the scene.

In 1775 he was elected a delegate to the Provincial Convention.

In 1776 he was appointed Commissioner, with Dr. Franklin, Judge Chase, and Rev. John Carroll, to go to Canada, in order to induce the inhabitants there to unite with the Colonies. They returned from Canada, and on the 12th of June presented their report. The Declaration of Independence was under discussion.

On July 4, 1776, he was appointed delegate to Congress, and on August 2d, when the Declaration was enrolled on parchment and signed, he was one of the number, and as he affixed his signature to that immortal compact, a member standing near observed: "There go a few millions," and adding: "There are many Carrolls, and the British will not know which one it is." He immediately affixed to his name "of Carrollton," which, when pronounced in full, is Charles Carroll of Carrollton.

He was a leading member of the State Senate or of Congress from 1776 to 1788, when he was elected United States Senator. In 1810 he retired from public life.

His society was eagerly sought, and his counsel universally regarded as honest and wise. On the 4th day of July, 1826, but three of the signers of the Declaration of Independence were living. John Adams and Thomas Jefferson, two of the committee who drafted the Declaration, passed from the living

scenes of earth on that anniversary day, and the last audible words uttered by the former were "Independence forever."

Charles Carroll's life was protracted until the 14th day of November, 1832, in the 96th year of his age. The portrait I design at this time to present His Excellency the Governor and the Legislature of the State of Michigan, as a donation to the State, with a request that it be placed and remain in the State library, was a copy drawn in the year 1832, by Henry S. Nichols, a portrait painter of great skill. The original painting (of which this is a copy) was made by the eminent Charles Harding, of Boston, drawn from life, of Charles Carroll, of Carrollton, at the age of 92 years.

Mr. President, the subject under consideration suggests some reflections upon the history resulting from the bold stand taken by the representatives of the people of this nation, considering their weakness at that time compared with the gigantic power of the government against which it was made.

A seven years' war was the result. A strong foreign foe and traitors at home rendered the task difficult indeed, requiring the greatest wisdom on the part of the commander, and such courage and power of endurance in soldiers, as is seldom allotted to man. The commander-in-chief was equal to the task, and the name of Washington will live forever for having executed that Declaration in the capture of the British forces.

As the necessary result of his great achievements, he was chosen first President of the United States.

Simultaneously with the organization of the government, a discordant element existed, which was then universally acknowledged to be an evil, but not supposed dangerous in its consequences. It was then conceded that it would be of short duration, and claimed to be a necessary help to develop the growth of the country. Delegates in the constitutional convention from South Carolina and Georgia declared that if the slave trade was prohibited, those States would not adopt the constitution. The Virginia representatives were in favor of

its prohibition. Virginia had slaves to sell, and desired to monopolize the market. The question was sharply discussed, and finally a compromise was made between the commercial representatives of the Northern States and the delegates of South Carolina and Georgia, in spite of the opposition of Maryland and Virginia. The unrestricted power of Congress to enact navigation laws was conceded to the Northern merchants, and to South Carolina rice planters, as an equivalent, twenty years' continuance of the African slave trade.

Here was the germ from which originated the desperate struggles for power to sustain and extend the greatest evil in its consequences that ever cursed the earth.

Some of the far-seeing minds of that day predicted the evil results flowing from that compromise. Franklin, Washington, and Jefferson favored emancipation, and the latter remarked, when discussing the question: "I tremble for my country when I reflect that God is just."

The great majority of the people declared there was nothing to fear, and the chariot of State was commanded to pass on, disregarding the little cloud out of the sea like a man's hand.

The history of the blackened clouds of the political atmosphere from this origin, together with the compromises in favor of the storm-king, and the vast concourse of great minds who sought to settle the troubled elements, and harmonize these antagonistic principles of freedom and humanity, on the one side, and slavery and barbarism on the other, for more than three-fourths of a century, is fraught with the greatest results for good and evil of any equal period of time as applied to any nation of the world.

But time forbids a recapitulation of the facts, and I will pass directly to the final termination of the existence of the evil, and the causes producing that result.

Slavery demanded through her representatives the universal recognition of her pretended rights in the Territories, in violation of all the compromises and legal restraints in favor of

freedom from the commencement of our national existence. On the contrary, a party arose and boldly said to slavery's advocates: "Thy boundary for the extension of that evil is fixed." "Thus far and no farther, and there let thy proud waves be stayed." These principles constituted the platform on which the Presidential contest of 1860 was conducted. A third party, large in numbers, sought to reconcile these discordant elements, but to no purpose.

Abraham Lincoln was elected President of the United States.

The advocates of slavery extension rebelled.

Civil war resulted, and the shades of night of the nation's day of existence seemed to have come.

Armies in hot haste were mustered in defense of the constitution and the laws. Battles resulted disastrously on the part of the government.

But at last the fires of freedom were kindled, and a million of men from the North were moving in battle array.

Abraham Lincoln, President of the United States, issued on the first day of January, 1863, the second Declaration of Independence, freeing four millions of bondmen, and recognizing them as citizen soldiers.

The antagonism from that act was more bitter than all others preceding. The black flag of extermination of prisoners of war was declared to be the order by the minions of the slave oligarchy, and they literally crucified and burned men alive in pursuance of that declaration.

The old adage was soon demonstrated, that "Whom the gods would destroy they first make mad." Our armies marched through the slave territory for hundreds of miles, sweeping before them the enemies of human rights, and receiving as auxiliaries the emancipated slaves, whose arms, strengthened by freedom, were ready to battle for the inalienable rights of man. The battles soon ended, and the victory for freedom was won.

Is it not now time to lay down the battle-axe and muster under the peaceful flag of the nation, recognizing the principles of the first and the second Declaration of Independence, the laws passed in pursuance thereof, and the final settlement of the question of man's capacity for self-government? The nations of Europe from sad experience have been compelled to acknowledge this fact. It requires but one allusion for its demonstration :

An American war steamer (commanded by a man whose education was conducted with the view of the rights of self-government, and assisted in executing his orders by men every one of whom was a sovereign in his own right, and possessed with the knowledge of the importance of the defense of those rights) had for one short hour the most desperate naval engagement recorded in modern times. This great battle took place within view of the shore of France, on Sunday, June 19, 1864. While the bells were ringing, calling the people to the house of prayer, the Alabama moved out of the harbor. The assembled multitude on the shore shouted, as she moved out with the rebel flag flying: "God speed you;" and for a response came the stern roll of drums beating to quarters. The American commander moved slowly seaward, and when seven miles out he turned his ship short about and steered straight for the enemy. The rebel commander discovered the movement, and suddenly came the deep thunder of the Alabama's guns. Capt. Winslow made no reply, but sternly ordered the engineer to put on more steam, and silently moved on amid the storm of shot and shell from the Alabama until within suitable distance to bring his own broadside to bear, and the order was given to "fire," when the crashing shot and bursting shell showed the mixed multitude of rebels and king-worshippers that the American commander intended to throw away no shot in that deadly encounter. The Alabama fired rapidly and wild. The rigging of the Kearsarge seemed alive with the hissing, explosive missiles, but the only evidence of excitement on the part

of the Americans was the cheers that rose over the thunder of the guns as they saw a gap open in the side of the Alabama when the shot and shell entered her water-line.

The splintered masts and bloody decks of the Alabama told them that the battle must soon close, one shot alone having disabled a gun and killed and wounded eighteen men. She was rapidly sinking. The rebel flag came down, and a white flag took its place. The firing ceased, and but a few moments elapsed when the Alabama went to the bottom of the ocean, burying her dead and a part of her living crew, leaving only the swelling waters to tell where she had gone down.

Amid the waves that closed above her descending form a crowd of human heads were seen struggling for life. Capt Winslow immediately ordered the small boats to lower to rescue them from death, and permitted the English yacht Deerhound (there for the purpose of witnessing the scene) to assist in this humane work. As soon as she had her load (Semmes, the rebel commander, included) she steamed rapidly away to the English coast and landed the fragments of that English crew.

It is to be hoped that the commissioners now in session at the city of Washington will settle this vexed question, and that restitution will be made for the enormous damages inflicted by that piratical English craft, and that they, having been three times fairly whipped, will acknowledge practically the inalienable rights of man and the power of self-government. If not so settled, the time will soon come when we can with safety foreclose a mortgage upon Canada for the payment of the debt, interest and principal.

The monuments of Bunker Hill, Charlestown, and Yorktown stand in commemoration of the same broad principles as those of Gettysburg, the Wilderness, and Fairfax.

At the time of the adoption of the Constitution of the United States, there were less than four million of people under jurisdiction of the government. At this time there are

more than forty millions from whom the power of government emanates. How all-important, then, does it become us to keep the fountain as pure as possible. Education and moral instruction of the masses, regardless of race, sex, or color, are our only safety. The educated man is strong against fraud and oppression, by a clear knowledge of his rights and how to defend them against demagogues and dark-lantern conspiracies.

Let us learn from the history of the past to avoid the evil consequences resulting from the usurpation of the rights of man. Death has laid his hand on a million of men in consequence of a violation by the nation of that great principle. They drop every embittered thought, and forget that they once were foes. Oh! that we might learn from these friendly ashes not to perpetuate the memory of injuries, not to foment the fever of resentment, nor cherish the turbulence of passion, that there may be as little animosity and disagreement in the land of the living as there is in the congregation of the dead!

Now, in conclusion, permit me to say that the passers-by, drifting along in the swelling tide of humanity, the children of to-day, and those who come after them, when they visit the Capitol of the beautiful Peninsula, they too will gaze upon the image of the great patriot of the Revolution with mingled feelings of pride and veneration. This picture will bring up vividly to the mental vision of the patriotic observer the long array of the revolutionary heroes and statesmen who lived in the times of Charles Carroll of Carrollton. Though dead, they still speak to us in unerring tones, to persevere and watch the sacred heritage of liberty bequeathed to us.

Mr. Holt offered the following:

Whereas, Hon. Charles R. Millington, of St. Joseph county, has donated a portrait of Charles Carroll of Carrollton, to the State of Michigan, a gift of great value, not alone as a work of art, but also because of the great interest that all Americans feel in whatever pertains to the last survivor of the signers of the Declaration of Independence; therefore, be it

Resolved by the Senate and House of Representatives in joint convention assembled, That said painting be accepted in behalf of the people of this State, and that the thanks of this convention be and are hereby tendered to the donor of this valuable present.

Pending the adoption of the resolution,

Senator Cravath addressed the joint convention as follows:

Mr. President :—I rise to support the resolution offered by the representative from Muskegon.

Though our revolutionary fathers differ from each other, as “one star differeth from another in glory,” yet the fame of none shines with a steadier, clearer light, than does that of Charles Carroll of Carrollton. His earthly life measured some of the grandest events recorded in the annals of man. Born on the shore of Chesapeake Bay, one hundred and thirty years after the oldest existing Anglo-Saxon settlement on this continent, his early years beheld a few feeble, forest-girt communities in the weakness of their infancy, and his manhood saw them transformed from dependence to independence,—from colonies into States.

Among the first to foresee the gathering storm of the American revolution, his sagacious mind was foremost in preparing his countrymen for the approaching struggle; and none threw into the scale, on the side of freedom, the weight of a larger fortune, a more ardent zeal, a more untiring industry. A clear, argumentative writer,—a concise, animated speaker,—quick to decide,—prompt to execute,—the influence he exerted during thirty years of public life is proved by his “having been a member of the first committee of observation, twice in the Convention of Maryland, twice appointed a delegate to Congress, once chosen to the Senate of the United States, and four times elected a Senator of Maryland,” and by the fact that it was largely through his influence that Maryland joined her sister colonies in asserting their common independence and maintaining their common freedom.

A child of affluence, educated in foreign lands, heir to a baronial estate, he had little personal experience of the hardships endured by those of our fathers who, from the beginning, had been "in perils by their own countrymen," "in perils in the sea," "in perils in the wilderness." Yet he well understood what sort of training they had received. He knew that, as day by day they had waged their slow, toilsome warfare with the forces of nature, or night by night had listened to the howl of the wolf, the scream of the panther, or the stealthy tread of the murderous Indian, or had fled through snow and darkness from the light of their burning dwellings, they had been taught by rough experience, by stern discipline, and by many a mournful tragedy, to watch and wait, to labor and to suffer, until as

—"the sword

Of Michael, from the armory of God,

Was given him tempered so, that neither keen

Nor solid might resist that edge,"

they had become "tempered" to pass the fierce ordeal of "the times that tried men's souls." Hence his reply to the sneering member of the British Parliament who had laughed at the idea of resistance on the part of the Colonies: "Our resources will increase with our difficulties; necessity will force us to exertion; until, tired of combating, in vain, against a spirit which victory after victory cannot subdue, your armies will evacuate our soil, and your country retire, an immense loser, from the contest."

How nobly was that prophecy fulfilled! Though the colonies were weak in population; though they "were without a government;" though their handful of militia, called in derision an army, were half-clad, half-fed, half-armed; though, as at the crossing of the Delaware, they were "almost naked, and dying of cold and want of food;" and though, as at Valley Forge, "they had no clothes to cover their nakedness, nor blankets to lie on, nor tents to sleep under, and their marches through frost and snow might be traced by the blood from their feet;" yet

with what fortitude did they pass through every trial! With what steadfastness of soul did they meet the shock of every disaster! How did the few who remained faithful among the faithless struggle on, hoping against hope, until, by the victories of Trenton, Saratoga, and Yorktown, they brought light out of darkness, and "turned the shadow of death into the morning!"

But the sphere in which moved the "first citizen" of Maryland, whose portrait is before us, leads our thoughts to other themes than those of battle and of blood. He bids us turn our steps to the halls of legislation. As we enter, and recall the sublime events of his public life, what a scene rises before us! Not you, Mr. President,—not you, Mr. Speaker,—occupy the chair; not you, Senators and Representatives of Michigan, fill the seats in that august assembly. The de'legates of the Thirteen Colonies are again in Continental Congress assembled, and we, of this far time, are the lookers on. They sit in council, dressed in queer, old-fashioned coats, knee-breeches, long stockings, buckles, and powdered queues; yet ca'm, earnest, care-worn men of toil,—fu'll of faith, and firm of purpose.

Since the first day of an ever-memorable month,—the day set apart for the consideration of "the resolution respecting independency,"—they have weighed questions of hope and fear, of life and death. Already, by the vote of twelve colonies, they have resolved: "That these United Colonies are and of right ought to be free and independent States." For three days they have been considering the report of the committee appointed to draft a Declaration of Independence, and now, as the shades of night are gathering around the fourth day of July, 1776, John Hancock, President of the Congress, rises in his place and says: "This is a third reading of the Declaration by the Representatives of the United States of America in Congress assembled. As many as are in favor of the Declaration will, as your names are called, say 'Aye.' As many as are opposed will say 'No.'" Then, as the Secretary calls the roll of immortals, hear them, without a dissenting

voice, p'edge to its sublime affirmations "their lives, their fortunes, and their sacred honor;" and then see them, one by one, inscribe on that imperishable parchment

—"names

That were not born to die."

Like their Pilgrim fathers, who, one hundred and fifty-six years before, in the cabin of the Mayflower, amid pain, and weariness, and the sickness of hope long deferred, gave birth to popular constitutional liberty, they "solemnly and mutually covenant and combine themselves together," "for the general good;" but, with a more grand, and clear, and complete utterance, they "hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed." Glorious, resplendent epoch in the birth of nations! How has it lit up the long, rayless night of American continental barbarism with a light that has shone round the world! How has it kindled the fires of freedom in other lands, and melted the hoary despotisms of earth, even as Alpine glaciers are dissolved in the heat of the summer's sun!

As we contemplate the actors in so sublime a drama, we forget that they were men of like passions with ourselves. We forget that they had their doubts, their fears, their narrow views, their jealous bickerings; and that many of them, from the beginning, had "aimed not at independence." The friendly grave has buried these their weaknesses forever from human sight, and their "sainted forms," transfigured by their mighty deeds, assume fairer outlines as the era of human liberty grows "brighter and brighter, unto the perfect day."

Blessed in health, in basket, and in store; blessed in the wonderful prosperity of his country, that increased during his lifetime from 900,000 to more than 12,000,000 souls; b'essed

in the protracted measure of his days, "in which were crowded the events of many centuries;" the last surviving signer of the Declaration of Independence lived, in the fullness of his intellectual vigor, to third generation of men. One of the last acts of his life was to lay the corner-stone of the Baltimore and Ohio railroad. Prophetic deed! As the seer of old beheld the stone, which was cut out of the mountain without hands, fill the whole earth, we have seen the stone laid by his hands become a part of that railroad system which has filled the land, and which day and night stands ready, when the lightning herald shall run with tidings of the nation's danger, to bring, with a voice of thunder, "arms and men" for the nation's defense.

But there are thoughts connected with our theme not so pleasant to consider. The same year that saw the landing of our Pilgrim Fathers on Plymouth Rock, saw the landing of a cargo of slaves on the coast of Virginia. While the former reared with tender care that tree of liberty which has blossomed into so many goodly States, and has flourished like a tree of life transplanted from Eden, the latter planted the Upas of slavery, which has grown a tree of death, full of deadly poison. Our Revolutionary fathers, finding the two growing side by side,—their roots firmly imbedded in the soil of every State,—concluded to let them grow together until the harvest. Hence, we have as a nation, until within a few years, been guilty of the hypocrisy of proclaiming freedom as the common birthright of humanity, and, at the same time, of holding a race

—"guilty of a skin
Not colored like our own,"

in most abject and debasing servitude. Hence, the school-house and the slave-pen, the Bible and the lash, the pulpit and the auction-block, have existed in this land in most odious and repugnant proximity.

When Charles Carroll of Carrollton saw the Government

about to pass into the hands of a generation of men—descendants of the patriots of the Revolution—who were to throttle the right of petition by an Atherton gag, to pass the necks of a free people under the yoke of a fugitive-slave law, and to ostracise the rights of men by a Dred Scott decision, he departed this life—a righteous man taken away from the evils that were to come. But, perchance, his unsealed eyes were permitted to behold that, even then, the nation's deliverers filled the land,—as the servant of the prophet of o'd, when his eyes were opened, saw that the mountain round about the beleaguered city was full of the horses and chariots of the Lord of Hosts.

We well know what followed. We know that S'avery, beaten at the ballot-box, appea'd to the sword, and, striking for a Southern Confederacy, let loose the most gigantic civil war known to the pages of history. We know that its de'uded followers, smitten by a blindness like that which fell on the Syrian host, were led on, step by step, through the gates into the city of destruction.

We know, too, with what patriotism a great people met that awful crisis. We know how freely they poured out their blood on more than one hundred and eighty battle fields; how they endured hardships in the field, sufferings in hospitals, and slow starvation in rebel prisons; how the press, the platform, and the pulpit woke the nation to deeds of valor and of charity; how the rich gave of their riches, and the poor of their poverty; how men fought; how women toiled, and, like angels of mercy, followed our "brave boys in blue" with their blessings and their tears; how patriots and rebels fasted and prayed, and left to God the issue of the contest; how hope and fear poised the trembling scale; how the voice of Abraham Lincoln seemed like that of the Angel of the Apocalypse, as once and again the call resounded over the land and over the sea: "three hundred thousand more!" and how, prompted by the necessities of the crisis in which he was placed, our martyr-President at length rose to the height of the great

argument, and proclaimed emancipation to an enslaved race, invoking "upon this act" "the considerate judgment of mankind, and the gracious favor of Almighty God."

Having, as a people, with one hand lifted the form of Liberty to the dome of the nation's capitol, and with the other enthroned her divine principles more fully in the nation's Constitution and laws; and standing to-day on these heights of freedom and of victory, we can look back along the mountain's slope, and see broken chains, unlocked fetters, shackles from the press; padlocks from the lips of statesmen and divines, party thumb-screws, plantation-whips, auction-blocks, slave-pens, and carcasses of blood-hounds, strewed even to the shore of that tideless sea of blood through which we came, when it stood like a wall on either hand. And when we can look across the valley of the nation's humiliation,—the Egypt of the nation's bondage,—to where, beyond the darkness, above the clouds, rise the mountain-ranges of the nation's earlier, if not better day,—trod by the feet of the men of 1620 and the men of 1776. Hail, shining ones, who walk those hills of light! Hail, Charles Carroll of Carrollton! Connecting link between the past and the present! Last, but not least, among those radiant forms! We will place your portrait beside that of your immortal compeer, Lafayette,—the Republic's truest friend in its days of sorest need,—and above both we will spread the torn battle-flag of the Fifth Michigan Infantry

Then shall the sons and daughters of Michigan, when they see these precious mementoes of the men who established and the men who saved the Great Republic, be inspired by their patriotic examples to act well their part, to discharge well their responsibilities, in the days of that future, which ever

—"presses on, and face to face before us stands,
With solemn lips of question, like the Sphinx on Egypt's sands."

The resolution offered by Mr. Holt was then adopted.

On motion of Senator Alexander,

The joint convention then adjourned *sine die*.

HENRY S. SLEEPER,

Secretary of the Senate,

N. B. JONES,

Clerk of the House of Representatives,

And Secretaries of the Joint Convention.

The Senators having retired, the House was called to order by the Speaker.

Roll called: quorum present.

The Speaker announced that the joint convention had advised and consented to the following nominations made by the Governor: Building Commissioners, Ebenezer O. Grosvenor, James Shearer, Alexander Chapaton; Trustee of the Michigan Institution for the education of the Deaf, and Dumb, and Blind, Charles G. Johnson; Adjutant General, John Robertson; Quartermaster General, William A Throop; Inspector General, Russell A. Alger.

The House resumed the order of

REPORTS OF STANDING COMMITTEES.

By the committee on judiciary:

The committee on judiciary, to whom was recommitted House bill No. 354, entitled

A bill to amend section 27, of chapter 141, of the compiled laws, as enacted by act number 160, of the session laws of 1861, relative to service of process on railroad corporations in garnishee cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. N. L. Miller,

The House concurred in the amendments made to the bill by the committee.

The question being on the passage of the bill,

The bill was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Grosvenor,	Mr. Montgomery.
Adsit,	Haack,	Moshier,
Andrews.	Harris,	Norris,
Barnaby,	Hart,	C. Y. Osburn,
Bates,	H. Haynes.	J. M. Osborn,
Brockway,	J. Haynes,	Pattengell,
Brown,	Haywood.	Pierson,
Chamberlain.	N. R. Hill.	Post.
Cherry,	Holland,	Priest.
Childs,	Holt,	Rood,
Clement,	Houseman.	Roof,
Climie,	Hoyt,	Roost,
Cochrane,	Hughes,	Runyan,
Copley,	Hurlbut,	Smith,
Coulter	Huston,	Sumner,
Crane,	Kellogg.	Swineford,
Crofoot,	Knapp,	Thayer.
Doty,	Lamb,	Tobey.
Ferry,	Little,	Van Scoy.
Garfield.	McGonegal.	Walker,
Gillam,	R. C. Miller.	Webster.
C. B. Grant,	Millington.	Wells,
R. J. Grant,	P. Mitchell,	Williams,
Gorman.	W.H.C.Mitchell,	Speaker. 72

NAYS.

Mr. Adam.	Mr. Gibson.	Mr. Greusel,
Congdon.	Green,	Minne,
Ferris,		

The question being on agreeing to the title.

On motion of Mr. Huston,

The title was amended so as to read as follows:

A bill to amend section 27, of an act entitled "An act to authorize proceedings against garnishees, and for other pur-

poses," approved March 28, 1849, being section 4803, in chapter 141, of the compiled laws, as amended by act No. 160, of the session laws of 1861, approved March 15, 1861.

The title, as amended, was then agreed to.

On motion of Mr. Rood,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on education :

The committee on education, to whom was referred Senate bill No. 200, entitled,

A bill to amend section 4, of act No. 55, of the session laws of 1867, being "An act to provide for county superintendents of schools,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

R. B. HUGHES, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brown,

The bill was laid on the table.

By the committee on banks and incorporations :

The committee on banks and incorporations, to whom was recommitted House bill No. 370, entitled

A bill to incorporate the village of Negaunee under a special charter,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, striking out section 20, as instructed, and ask to be discharged from the further consideration of the subject.

J. M. OSBORN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Swineford,

The House concurred in the amendment made to the bill by the committee.

The question being on the passage of the bill,

The bill was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Haack,	Mr. Montgomery,
Adsit,	Harris,	Moshier,
Andrews,	Hart,	C. Y. Osburn,
Atwood	J. Haynes,	J. M. Osborn,
Barnaby,	Hazen,	Pattengell,
Bates,	N. R. Hill,	Pierson,
Childs,	Holland,	Post,
Clement,	Houseman,	Rood,
Cochrane,	Hoyt,	Roof,
Congdon,	Huff,	Roost,
Copley,	Hughes,	Smith,
Fenton,	Hurlbut,	Sumner,
Gillam,	Lamb,	Swineford,
R. J. Grant,	Little,	Thayer,
Greusel,	Minne,	Webster,
Grosvenor,	W.H.C. Mitchell,	Speaker, 48

NAYS.

Mr. Adam,	Mr. Garfield,	Mr. P. Mitchell,
Brown,	Gorman,	Norris,
Cameron,	Green,	Priest,
Chamberlain,	H. Haynes,	Ross,
Cherry,	Holt,	Tobey,
Climie,	Kellogg,	Van Scoy,
Coulter,	Knapp,	Walker,
Crane,	McGonegal,	Walton,
Doty,	N. L. Miller,	Wells,
Ferris,	R. C. Miller,	Williams,
Ferry,	Millington,	32

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, April 10, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bills:

1. House bill No. 171, entitled

A bill to amend an act entitled "An act imposing a specific tax upon corporations and chartered companies engaged in the business of mining, smelting, and refining ores in this State," approved March 10th, 1865, as amended by act No. 191, of the session laws of 1867 ;

2. House bill No. 205, entitled

A bill to establish a police government for the city of Detroit ;

3. House bill No. 349, entitled

A bill to provide for the incorporation of St. George's societies ;

4. House bill No. 394, entitled

A bill to detach certain real estate from school district No 1, fractional of Parma, Sandstone, Concord, and Spring Arbor, and attach the same to school district No. 3, of Parma ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, April 10, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bills :

1. House bill No. 255, entitled

A bill to authorize Bay City to borrow money and issue bonds therefor, to construct a plank road from Bay City to Carr's Corners, in the county of Tuscola ;

2. House bill No. 258, entitled

A bill to amend sections 4 and 5, of act No. 212, of session laws of 1861, entitled "An act to authorize the formation of gymnastic associations ;"

3. House bill No. 353, entitled

A bill to establish an insurance bureau :

4. House bill No. 288, entitled

A bill relative to proof of corporations and joint stock companies in certain cases ;

5. House bill No. 398, entitled

A bill to amend an act entitled "An act to provide for the incorporation of slack-water navigation companies, for the improvement of rivers in the counties of St. Joseph, Cass, Berrien, and Cheboygan, and defining their powers and duties," approved March 25th, 1867 :

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, {
Lansing, April 10, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bills :

1. House bill No. 357, entitled

A bill to provide for the division of the township of Plymouth, Wayne county, into two election districts, for general election purposes ;

2. House bill No. 148, entitled

A bill to amend 52, sections 41, 42, 47, 48, and 53, of act 148, of session laws of 1869, being an act to revise and consolidate the several acts relating to the support and maintenance of poor persons, approved April 5, 1869 ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, April 10, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill :

House bill No. 343, entitled

A bill to compel children to attend school,

And to inform the House that the Senate has amended the same as follows :

1. By striking out in line 8, of section 1, the words “by teachers competent to teach,” and inserting in place thereof the word “in ;”

2. By inserting the word “than ” after the word “less,” in line 4, of section 4;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Pattengell moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Haack.	Mr. Montgomery.
Adsit,	Harris.	Moshier,
Andrews,	Hart,	Norris,
Atwood,	J. Haynes.	J. M. Osborn,
Barnaby,	Hazen,	Pattengell,
Bates,	N. R. Hill,	Phillips,
Brown,	S. W. Hill,	Pierson.
Cameron,	Holland,	Post,
Chamberlain.	Holt,	Priest,
Cherry,	Houseman.	Rood,
Childs,	Hoyt,	Roof,
Clement,	Huff,	Roost,
Climie,	Hughes,	Ross,
Cochrane,	Hurlbut,	Smith,
Congdon,	Knapp,	Sumner,
Crane,	Lamb,	Thayer,
Doty,	Little,	Tobey,
Ferris,	McGonegal.	Van Scoy,
Garfield,	E. R. Miller.	Walton.
Gillam,	N. L. Miller.	Webster.
R. J. Grant,	Millington,	Wells,
Green,	Minne,	Williams,
Greusel,	P. Mitchell,	Speaker,
Grosvenor,	W.H.C. Mitchell,	

71

NAYS.

Mr. Coulter, Mr. Kellogg. Mr. R. C. Miller, 3

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, ()
Lansing, April 10, 1871. ()

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 229, entitled

A bill to confirm and legalize the action of the board of supervisors of the county of Houghton, in consenting to the building of a bridge across Portage lake, in said county;

Which has passed the Senate by a majority vote of all the

Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,
HENRY S. SLEEPER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

The Speaker also announced the following:

SENATE CHAMBER,)
Lansing, April 10, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

Senate bill No. 61, entitled

A bill to lay out and establish a State road in the counties of Midland and Gladwin, and to appropriate certain non-resident highway taxes for the construction thereof;

Which the House amended as follows:

1. Strike out the first section 3 of the bill;
2. In section 3, line 2, strike out the word "eighteen;" also, in the same line, after the word "west," insert the words "and town eighteen north, of range one west;" also, strike out all after the word "same," in line 5, up to and including the word "authorized," in line 8;

3. In section 4, line 1, strike out the last letter "s" in the word "treasurers;" also, strike out the word "respectively," in the same line; also, strike out all after the word "county," in the second line, up to and including the word "for," in the fifth line, and insert the following: "who shall receive any of the;" also, in line 8, strike out the word "had:"

4. In section 7, line 3, strike out the words "which has heretofore;" also, in lines 3 and 4, strike out the words "and which has not been paid out by virtue of said acts Nos. 467 and 468;"

5. In section 8, line 1, before the word "supervisors" insert the words "the board of;"

And to inform the House that the Senate does not concur in said amendments.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. J. Haynes moved that the House adhere to the amendments made to the bill by the House;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Grosvenor,	Mr. Montgomery,
Adsit,	Haack,	Moshier,
Andrews,	Harris,	Norris,
Barnaby,	Hart,	C. Y. Osburn,
Brown,	J. Haynes,	Pattengell,
Cameron,	N. R. Hill,	Phillips,
Cherry,	S. W. Hill,	Pierson,
Childs,	Holland,	Post,
Clement,	Hoyt,	Priest,
Climie,	Huff,	Rood,
Cochrane,	Hughes,	Roof,
Congdon,	Huston,	Roost,
Copley,	Kellogg,	Ross,
Coulter,	Knapp,	Smith,
Crane,	Lamb,	Sumner,
Doty,	Little,	Thayer,
Fenton,	McGonegal,	Tobey,
Ferris,	E. R. Miller,	Van Scoy,
Ferry,	N. L. Miller,	Walker,
Garfield,	Millington,	Walton,
Gibson,	Minne,	Wells,
R. J. Grant,	P. Mitchell,	Williams,
Green,	W.H.C.Mitchell,	Speaker,
Greusel,		

70

NAYS.

Mr. Atwood,

1

Mr. Huston, by unanimous consent, offered the following:

Whereas, It appears from the eighth page of the report of the Swamp Land State Road Commissioner that he has collected, for trespasses committed upon the public lands of the State during the years 1869 and 1870, the sum of \$2,164, and

that the expenses of making the collections are \$1,557 80; therefore

Resolved, That the Secretary of State be requested to report with all convenient speed the items of expense, and to whom paid, included in said amount of \$1,557 80;

Which was adopted.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 10, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 307, entitled

A bill to amend sections 6, 24, 26, 28, 31, 33 and 34, of act number 136, of session laws of 1869, entitled “An act relative to the organization and powers of fire and marine insurance companies transacting business within the State,” approved April 3d, 1869, and to add a new section thereto,

And to inform the House that the Senate has amended the same as follows:

1. Section 1, line 2, by inserting after the word “twenty-eight” the word “twenty-nine,” and adding at the end of the section the words “and to add two new sections, to stand as sections forty and forty-one;”

2. By inserting the following, to stand as section 29:

“Sec. 29. Every penalty provided for by this act or by any other act heretofore enacted by the Legislature of this State relating to insurance shall be sued for and recovered in the name of the people, by the prosecuting attorney of the county in which the company, or the agent, or agents, so violating, shall be situated; one-fourth of said penalty, when recovered, shall be paid to the party making the complaint, and the remainder shall be paid into the treasury of said county; and in the case of the non-payment of such penalty, the party so offending shall be liable to imprisonment for a period not exceeding six months, in the

discretion of any court having cognizance thereof; such penalties may also be sued for and recovered in the name of the people, by the attorney-general, and when sued for and collected by him, shall be paid into the State treasury."

3. Page 6, section 2, by changing "section" wherever it occurs in line 1, to "sections," and inserting, after the word "forty," the words "and forty-one;"

4. By adding to the bill the following, to stand as section 41 :

"SEC. 41. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed;"

Also, that the Senate has amended the title of the bill by inserting, after the word "twenty-eight," the word "twenty-nine;" also, by striking out the letter "a," in the last line, and inserting in place thereof the word "two," and by adding at the end of the title the words "to stand as sections 40 and 41 ;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Hart moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Greusel,	Mr. W.H.C. Mitchell.
Adams,	Grosvenor.	Montgomery,
Adsit,	Haack,	Norris,
Andrews,	Harris,	C. Y. Osburn,
Brown,	Hart,	J. M. Osborn,
Cameron,	H. Haynes,	Pattengell,
Cherry,	J. Haynes,	Phillips,
Clement,	N. R. Hill,	Pierson,
Climie,	S. W. Hill,	Post,

Mr. Cochrane,	Mr. Holland,	Mr. Priest,	
Congdon,	Hoyt,	Rood,	
Copley,	Huff,	Roof,	
Crane,	Hughes,	Roost,	
Doty,	Huston,	Ross,	
Fenton,	Kellogg,	Smith,	
Ferris,	Knapp,	Tobey,	
Ferry,	Little,	Van Scoy,	
Garfield,	McGonegal,	Walker,	
Gibson,	R. O. Miller,	Walton,	
C. B. Grant,	Millington,	Wells,	
Gorman,	Minne,	Williams,	
Green,	P. Mitchell,	Speaker,	66
	NAYS.		0

The title, as amended by the Senate, was then agreed to.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

Mr. Pattengell moved that the House take a recess until 2 o'clock this afternoon;

Which motion did not prevail.

Mr. Brockway, by unanimous consent, offered the following:

Resolved, That the State Treasurer be and he hereby is requested, at his earliest convenience, to inform this House what amount is now due to the county of Calhoun as interest on the swamp land fund, on account of swamp lands sold from that county;

Which was adopted.

On motion of Mr. Cameron,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Adam moved to reconsider the vote by which the House passed House bill No. 367, entitled

A bill to amend section 124, of act 169, of the session laws of 1869, entitled "An act to provide a uniform assessment of property, and for the collection and return of taxes thereon," approved April 9, 1869;

Which motion prevailed.

On motion of Mr. Adam,

The bill was laid on the table.

The House resumed the order of

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, April 10, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 230, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Detroit," approved February 5, 1857, as amended by several acts amendatory thereof,

And to inform the House that the Senate has amended the same as follows;

1. In section 92, line 1, by striking out the words "all proceedings," and inserting in place thereof the words "such part of the proceedings of;" by inserting after the word "council," in line 1 of the same section, the words "as shall be deemed advisable;" and after the word "city," in line 2 of the same section, the words "in the English language;" also, by substituting "three" for "six," in line 2 of the same section;

2. In section 92, line 7, by inserting after the word "ordinances," the words "tax-sales, notices of sewer assessments, notices of elections and registration;"

3. By striking out all of section 92, after the word "city," in line 8, and inserting in place thereof the following words:

"All printing in the German language done under this section shall be let by contract to the lowest responsible bidder;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Greusel moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Green,	Mr. Moshier,
Adsit,	Greusel,	Norris,
Andrews,	Haack,	C. Y. Osburn.
Barnaby,	Harris,	Pattengell,
Bates,	Hart,	Pearl,
Brockway,	H. Haynes,	Pierson,
Brown,	J. Haynes,	Post,
Cameron,	Haywood,	Priest,
Cherry,	Hazen,	Riford,
Childs,	N. R. Hill,	Rood,
Clement,	Houseman,	Roof,
Climie,	Huff,	Roost,
Oongdon,	Hurlbut,	Ross,
Copley,	Kellogg,	Runyan,
Crane,	Knapp,	Tobey,
Crofoot,	Lamb,	Van Scoy,
Doty,	Little,	Walker,
Ferris,	McGonegal,	Walton,
Ferry,	E. R. Miller,	Webster,
Garfield,	N. L. Miller,	Wells,
Gillam,	R. C. Miller,	Williams,
C. B. Grant,	P. Mitchell,	Speaker,
R. J. Grant,	W.H.C.Mitchell,	

68

NAYS.

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The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER,
Lansing, April 10, 1871.

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 372, entitled

A bill to amend recited sections 32 and 33, of act No. 32, of the laws of 1864, entitled “An act to amend an act entitled ‘An act to further preserve the purity of elections, and guard against the abuses of the elective franchise, by a registration of electors,’ approved February 14th, 1859,” approved February 5th, 1864, and to add a new section thereto,

And to inform the House that the Senate has amended the same by inserting the words “sick or” before the word “absent,” in line 5 of section 33;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Gibson moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adsit,	Mr. R. J. Grant,	Mr. Millington,
Andrews,	Gorman,	P. Mitchell,
Barnaby,	Green,	W.H.C. Mitchell.
Brockway,	Greusel,	Montgomery.
Brown,	Grosvenor,	Moshier,
Cameron,	Haack,	Norris,
Chamberlain,	Harris,	C. Y. Osburn,
Cherry,	Hart,	Pattengell,
Childs,	J. Haynes,	Pierson,
Clement,	Haywood,	Post,
Climie,	Hazen,	Priest,
Cochrane,	N. R. Hill,	Riford,

Mr. Congdon,	Mr. Houseman,	Mr. Rood,	
Copley,	Hoyt,	Roof,	
Crane,	Huff,	Roost,	
Crofoot,	Huston,	Sumner,	
Doty,	Kellogg,	Van Scoy,	
Fenton,	Knapp,	Walker,	
Ferris,	Lamb,	Walton,	
Ferry,	McGonegal,	Webster,	
Garfield,	E. R. Miller,	Wells,	
Gibson,	N. L. Miller,	Williams,	
Gillam,	R. C. Miller,	Speaker,	
C. B. Grant,			70
	NAYS.		0

The bill was then referred to the committee on engrossment and enrollment for, enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 8, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill :

Senate manuscript bill, entitled

A bill to legalize the tax and assessment rolls of the village of New Baltimore for the years A. D. 1869 and 1870, and to renew and continue in force the warrants attached to said tax and assessment rolls,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 8, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate manuscript bill, entitled

A bill to require railroad corporations to keep open ticket offices at passenger stations for the sale of tickets, thirty minutes before the advertised time of the starting of all passenger trains;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 10, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 85, entitled

A bill to amend section 7, of chapter 19, of compiled laws, as amended by act No. 71, of the session laws of 1869, relating to the duties of overseers of highways,

And to inform the House that the Senate has amended the same by inserting after the word "cause," in line 1, of section 7, the words "at least;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,
Secretary of the Senate.

Mr. Walker moved that the House concur in the amendment made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Gibson,	Mr. N. L. Miller,
Adams,	Gillam,	R. C. Miller,
Adsit,	C. B. Grant,	Millington,
Andrews,	R. J. Grant,	P. Mitchell,
Barnaby,	Gorman,	W.H.C. Mitchell,
Bates,	Green,	Moshier,
Brockway,	Greusel,	Norris,
Brown,	Grosvenor,	C. Y. Osburn,
Cameron,	Haack,	Pattengell,
Chamberlain,	Harris,	Pierson,
Childs,	Hart,	Post,
Clement,	Haywood,	Priest,
Climie,	Hazen,	Rood,
Cochrane,	N. R. Hill,	Roost,
Congdon,	S. W. Hill,	Sumner,
Copley,	Houseman,	Van Scoy,
Crane,	Hoyt,	Walker,
Crofoot,	Huff,	Walton,
Doty,	Kellogg,	Wells,
Fenton,	Knapp,	White,
Ferris,	Lamb,	Williams,
Ferry,	McGonegal,	Speaker,
Garfield,	E. R. Miller,	

68

NAYS.

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The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, April 10, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill :

House bill No. 280, entitled

A bill to establish a board of public works in and for the city of Detroit ;

And to inform the House that the Senate has amended the same as follows :

1. By adding at the end of section 1, the following: "The members of said board shall give bonds in the sum of fifty thousand dollars each, with sureties, to be approved by the common council of the city of Detroit;"

2. Section 4, line 5, by striking out the word "ordinances;"

3. Section 6, by striking out all after the word "authorized," in line 4, to and including the word "then," in line 6, and inserting after the word "commissioners," the following proviso: "*Provided*, That the avails of the same shall be applied only upon water repairs and improvements within said city;"

4. Section 8, line 2, by striking out the words "in their opinion;"

5. Section 10, line 10, by inserting after the word "sufficient," the following: "and if he has no known residence, then such notice shall be published for at least two successive days, in two of the daily newspapers published in said city;"

6. Section 10, by striking out all after the word "machinery," in line 13, and inserting in place thereof the following: "The said board shall report to the common council, in the month of February in each year, the amount of money necessary to make such improvements, specifying the same in detail, and the comptroller shall place the amount in his annual estimate; such estimates shall be definitely acted upon by the common council in time to have the appropriations allowed placed upon the general or other proper assessment rolls of the city, to be collected as other city taxes, and when collected, to be subject to the order of said board: *Provided*, That the amount to be levied or assessed, for any one year, shall not exceed twenty-five thousand dollars;"

7. Section 13, by inserting after the word "allowed," in line 12, the words "at the public meeting of the citizens of said city, specified in section 2, of chapter 5, of the act to revise the charter of the city of Detroit, approved February 5. 1857 and;"

8. Section 13, line 27, by striking out the words "by the common council ;"

9. Section 18, line 3, by striking out the word "proceeding," and inserting in place thereof the word "procuring;"

10. Section 25, line 2, by striking out the words "and ordinances" and inserting "and" before the word "regulations ;" also, by striking out all after the word "act," in line 3 ;

11. Section 29, line 7, by inserting after the word "to" the words, "execute the work according to p'an and specifications, and the board may ;"

12. Section 30, line 7, by striking out the word "proposed," and inserting in place thereof the word "proper ;"

13. By making section 42 read as follows: "SEC. 42. This act shall take effect on the first Monday in August, A. D. 1871;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr McGonegal moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Gray,	Mr. Millington,
Adsit,	Green,	W.H.C. Mitchell,
Andrews,	Grosvenor,	Norris,
Barnaby,	Haack,	C. Y. Osburn,
Bates,	Harris,	J. M. Osborn,
Brockway,	Hart,	Pattengell,
Cameron,	J. Haynes,	Phillips,
Chamberlain,	Haywood,	Post,
Cherry,	Hazen,	Priest,
Childs,	N. R. Hill,	Riford,
Clement,	S. W. Hill,	Rood,
Climie,	Houseman,	Roost,
Congdon,	Hoyt,	Sumner.
Copley,	Huff,	Tobey,
Crane,	Hurlbut,	Van Scoy,
Crofoot,	Kellogg,	Walker,

Mr. Ferris,
Garfield,
Gibson,
C. B. Grant,
R. J. Grant,
Gorman,

Mr. Knapp,
Lamb,
Little,
McGonegal,
N. L. Miller,
R. C. Miller,

Mr. Walton,
Webster,
Wells,
Williams,
Speaker,

65

NAYS.

Mr. Cochrane,
Fenton,
Greusel,

Mr. Minne,
Montgomery,
Pearl,

Mr. Pierson,
White,

8

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

THIRD READING OF BILLS.

House bill No. 369, entitled

A bill to amend sections 1, 11, and 13, of act No. 163, of the session laws of 1861, entitled "An act relative to laying out, altering, and discontinuing highways,"

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Riford moved to amend the bill by striking out, in line 6, section 1, all after the word "directed," up to and including the word "thereof," in the 8th line, and by striking out the word "further," in said 8th line ;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Adsit,
Barnaby,
Bates,
Brockway,
Brown,
Cameron,
Chamberlain,
Cherry,
Childs,
Climic,

Mr. R. J. Grant,
Gorman,
Green,
Greusel,
Grosvenor,
Haack,
Harris,
Hart,
J. Haynes,
Haywood,
Hazen,
N. R. Hill,

Mr. E. R. Miller,
Minne,
P. Mitchell,
W.H.C. Mitchell,
Norris,
C. Y. Osburn,
J. M. Osborn,
Pattengell,
Pearl,
Phillips,
Pierson,
Post,

Mr. Cochrane,	Mr. S. W. Hill,	Mr. Rood,	
Congdon,	Holland,	Roof,	
Copley,	Holt,	Roost,	
Coulter,	Houseman,	Ross,	
Crane,	Hoyt,	Runyan,	
Crofoot,	Huff,	Smith,	
Doty,	Hughes,	Tobey,	
Ferris,	Hurlbut,	Walker,	
Ferry,	Kellogg,	Webster.	
Garfield,	Lamb,	Wells,	
Gibson,	Little,	White,	
Gillam,	McGonegal,	Williams,	72

NAYS.

Mr. Andrews,	Mr. N. L. Miller,	Mr. Sumner,	
Atwood,	Millington,	Van Scoy,	
Clement,	Montgomery,	Walton,	
O. B. Grant,	Priest,	Speaker,	
Knapp,	Riford,		14

Title agreed to.

House bill No. 377, entitled

A bill to provide for laying out and establishing a State road from town 24 north, of range 4 east, to the meridian,

Was read a third time, and pending the taking of the vote on the passage thereof,

The Speaker announced that the hour had arrived for the consideration of the

SPECIAL ORDER,

Being the consideration of Senate bill No. 96, entitled

A bill to revise the laws providing for the incorporation of railroad companies.

By unanimous consent the following report was submitted:

The undersigned, members of the committee on internal improvements, beg leave to submit the following report, and would say that they do not entirely concur in the recommendations of the chairman of the committee in the report lately made by him upon Senate bill 96.

The undersigned do not deem it advisable to change the provisions of section twelve of said bill, and would recommend that no amendment be made to said section. Neither do we

concur in the recommendation made by the chairman of the committee in regard to the amendment proposed to section 37, but would submit the following, to stand as a substitute for said amendment :

Section 37, strike out all of line 8 after the word "law;" all of lines 9, 10, 11, 12, and line 13 to and including the word "acquired," and insert "except real property not necessary for carrying on the ordinary operations or franchises of their road : *Provided*, Only such lands granted to any railroad company shall be liable to local taxation as are or may be opposite to, and coterminous with the constructed portion and portions of said roads respectively: *And provided further*, That no such lands shall be subject to taxation until after the expiration of three years from and after the first day of June, A. D. 1871, and until after three years from the date of the certificate showing that such lands have been earned by said railroad company, after which time said lands shall be taxed as other lands.

We would respectfully recommend that the other amendments be concurred in, as recommended by the chairman of the committee, and ask to be discharged from the further consideration of the subject.

R. B. HUGHES,
HENRY H. HOLT,
A. K. ROOF,
CHAS. E. HOLLAND,
GILES ROSS,
H. HAYNES.

Report accepted,

Mr. Holt moved that the report be considered in connection with the bill, now pending as the special order ;

Which motion prevailed.

On motion of Mr. Huston,

The House went into committee of the whole, on the special order,

Mr. Crofoot in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

Senate bill No. 96, entitled

A bill to revise the laws providing for the incorporation of railroad companies,

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

GEO. W. CROFOOT, *Chairman*.

Report accepted.

On motion of Mr. Huston,

Leave was granted the committee to sit again.

The committee on engrossment and enrollment made the following report:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following entitled bills:

1. House manuscript bill, entitled

A bill to amend section 14, in chapter 78, of the revised statutes of 1846, being section 3103, in chapter 102, of the compiled laws, relative to the sale of lands of minors and other persons under guardianship, and investing the proceeds for their use;

2. House manuscript bill, entitled

A bill to change the name of Franklin Dwight Smith to Franklin Dwight Martin, and to constitute him the heir-at-law of John Clark Martin and Maria Louisa Martin, of Ingham county, Michigan;

3. House bill No. 98, entitled

A bill to authorize the city of Hastings to issue bonds to raise money for the building of bridges;

4. House bill No. 151, entitled

A bill to amend sections 3 and 4, of chapter 27, of the

revised statutes of 1846, "Of the erection, repairing, and preservation of bridges," being sections 1100 and 1101 of the compiled laws;

5. House bill No. 153, entitled

A bill appropriating certain non-resident highway taxes for the improvement of the Greenbush and Gratiot State road;

6. House bill No. 180, entitled

A bill to establish certain highways in the township of Easton, Ionia county, less than four rods wide;

7. House bill No. 196, entitled

A bill to provide for the protection of laborers and persons furnishing material for the construction and repairing of railroads in this State;

8. House bill No. 202, entitled

A bill to incorporate the village of Pewamo;

9. House bill No. 207, entitled

A bill to regulate the execution and transfer of notes or other obligations, given for patent rights;

10. House bill No. 211, entitled

A bill to amend section six, of chapter twenty-six, of the revised statutes of eighteen hundred and forty-six, being section ten hundred and ninety-one, of chapter twenty-three, of the compiled laws, entitled "Of the obstruction of highways, encroachments thereon, and penalties;"

11. House bill No. 243, entitled

A bill to provide for the payment of bounties by the State Treasurer, upon the warrant of the Auditor General;

12. House bill No. 260, entitled

A bill to lay out, and establish, and improve a swamp land State road from Gratiot river, in the line of the Mineral Range State road, in the township of Clifton, county of Keweenaw, to the head of Torch Lake, in the township of Schoolcraft, in the county of Houghton;

13. House bill No. 278, entitled

A bill to provide for the sale of perishable property;

14. House bill No. 294, entitled

A bill to provide for the laying out, establishing, and constructing a State road in the county of Iosco, and appropriating certain non-resident highway taxes therefor; said road to be known as the Oscoda and Plainfield State road;

15. House bill No. 310, entitled

A bill to amend sections 12, 13, and 14, of act No. 82, of the session laws of 1869, being an act to amend sections 12, 13, 14, and 15, of chapter 154, of the revised statutes of 1846, being sections 5756, 5757, 5758, and 5759, of chapter 181, of the compiled laws, entitled "Of offenses against property," approved March 30th, 1869;

16. House bill No. 323, entitled

A bill to provide for the laying out, establishing, and constructing a State road in the county of Alcona, and appropriating certain non-resident highway taxes therefor, to be known as the Pine River State road;

17. House bill No. 324, entitled

A bill to remit certain specific taxes therein named;

18. House bill No. 335, entitled

A bill to repeal act No. 271, of the session laws of 1848, being an act entitled "An act to incorporate the Flint and Fentonville plank road company," approved April 3, 1848;

19. House bill No. 337, entitled

A bill providing a name for a certain male child whose parentage is unknown, and constituting it the heir-at-law of Jacob Bush and Susannah Bush;

20. House bill No. 345, entitled

A bill to change the name of Seth Dimick Adams to Seth Dimick Gage, and to constitute him heir-at-law of Franklin Gage and Mary C. Gage;

21. House bill No. 356, entitled

A bill to amend act number 138, of the session laws of A. D. 1867, being an act entitled "An act to amend section 1, of chapter 70, of the revised statutes of 1846, being section 2877.

of chapter 94, of the compiled laws, entitled 'Of the administration and distribution of estates of deceased persons;'"

22. House bill No. 394, entitled

A bill to detach certain real estate from school district number one, fractional of Parma, Sandstone, Concord, and Spring Arbor, and attach the same to school district number three, of Parma;

23. House bill No. 353, entitled

A bill to establish an insurance bureau;

24. House bill No. 265, entitled

A bill to provide for the laying out and constructing a State road in Isabella county;

25. House bill No. 197, entitled

A bill for laying out a State road in the counties of Clare and Roscommon;

Also the following concurrent resolution:

Resolved by the House of Representatives (the Senate concurring), That the Secretary of State be directed to forward to each supervisor and each member and officer of the Legislature of 1871; one copy of all general acts which are ordered to take immediate effect, in addition to the copies already requested to be forwarded to the supreme and circuit judges and county clerks.

JNO. F. COULTER, *Acting Chairman.*

Report accepted.

Mr. Montgomery moved that the House adjourn;

Which motion did not prevail.

Mr. Hazen, by unanimous consent, moved to take from the order of third reading, the substitute for House bill No. 173, entitled

A bill to apportion anew the Representatives among the several counties and districts of this State;

Which motion prevailed.

On motion of Mr. Hazen,

The bill was laid on the table and ordered printed.

Mr. McGonegal moved to reconsider the vote by which the House refused to pass House bill No. 409, entitled

A bill to vacate one mile of the Detroit river plank road, in the town of Springwells;

Which motion did not prevail.

On motion of Mr. Huston,

The House took a recess until 7:30 o'clock this evening.

EVENING SESSION.

7:30 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

The Speaker announced that the business pending before the House was the consideration of the

SPECIAL ORDER,

Being Senate bill No. 96, entitled

A bill to revise the laws providing for the incorporation of railroad companies.

Mr. Gray moved that the further consideration of the bill be postponed until to-morrow morning at 9 o'clock ;

Which motion did not prevail.

On motion of Cameron,

The House went into committee of the whole on the special order,

Mr. C. B. Grant in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

Senate bill No. 96, entitled

A bill to revise the laws providing for the incorporation of railroad companies ;

Have made sundry amendments thereto, and have directed

their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

C. B. GRANT, *Chairman*.

Report accepted and committee discharged.

Mr. Huston moved that the House concur in the amendments made to the bill by the committee.

Mr. Gray demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Haack,	Mr. Little,
Adams,	Harris,	E. R. Miller,
Andrews,	J. Haynes,	Millington,
Atwood,	N. R. Hill,	Montgomery,
Bates,	S. W. Hill,	Norris,
Brockway,	Holland,	C. Y. Osburn,
Cameron,	Holt,	Pattengell,
Cherry,	Houseman,	Phillips,
Climie,	Hoyt,	Pierson,
Cochrane,	Huff,	Roof,
Crofoot,	Hughes,	Ross,
Doty,	Hurlbut,	Runyan,
Garrison,	Huston,	Webster,
C. B. Grant,	Knapp,	Wells,
R. J. Grant,	Lamb,	Speaker,
Grosvenor,		

46

NAYS.

Mr. Adsit,	Mr. Ferris,	Mr. Riford,
Brown,	Gibson,	Rood,
Chamberlain,	Gorman,	Roost,
Clement,	Gray,	Sumner,
Copley,	W.H.C. Mitchell,	Van Scoy,
Coulter,	Priest,	Williams,

18

Mr. Montgomery moved that the House adjourn until 9 o'clock to-morrow morning;

Which motion did not prevail.

On motion of Mr. Adams,

The House adjourned

Lansing, Wednesday, April 12, 1871.

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Moshier asked and obtained leave of absence for himself for the day.

Mr. McGonegal, by unanimous consent, moved to take from the table House bill No. 290, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Detroit, approved February 5th, 1857, as amended by the several acts amendatory thereof," and to add several sections thereto, and to repeal several sections thereof;

Which motion prevailed.

The question being on concurring in the amendments made to the bill by the Senate,

Mr. McGonegal moved that the House concur in all the amendments made to the bill by the Senate, except the following amendment made to section 46:

By inserting, in section 46, line 17, page 15, after the word "same," the following provisos: "*Provided*, That nothing herein contained shall be construed to authorize the inspecting, measuring, weighing, or gauging of any article herein enumerated, which is to be shipped beyond the limits of this State, except at the request of the owner thereof, or of the agent having charge of the same: *And provided further*, That the common council shall not have power to require the measuring of wood or the weighing of hay, except at the request of the seller or purchaser thereof or the agent of either of them ;"

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adsit,
Andrews,
Atwood,
Barnaby,

Mr. R. J. Grant,
Gorman,
Green,
Grensel,
Grosvenor,

Mr. R. C. Miller,
Minne,
P. Mitchell,
W.H.C. Mitchell,
Norris,

Mr. Bates,	Mr. Haack,	Mr. J. M. Osborn,	
Brockway,	Hart,	Pattengell,	
Brown,	H. Haynes,	Phillips,	
Cameron,	J. Haynes,	Pierson,	
Chamberlain,	Haywood,	Priest,	
Cherry,	Hazen,	Riford,	
Childs,	N. R. Hill,	Rood,	
Clement,	S. W. Hill,	Roost,	
Climie,	Holland,	Ross,	
Cochrane,	Holt,	Runyan,	
Congdon,	Houseman,	Sumner,	
Copley,	Hoyt,	Thayer,	
Coulter,	Huff,	Tobey,	
Crane,	Hughes,	Van Scoy,	
Crofoot,	Hurlbut,	Walker,	
Doty,	Huston,	Walton,	
Fenton,	Kellogg,	Webster,	
Ferris,	Knapp,	Wells,	
Garfield,	Lamb,	White,	
Garrison,	Little,	Williams,	
Gibson,	McGonegal,	Speaker,	80
Gillam,	E. R. Miller,		

NAYS.

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Mr. Atwood moved that the House concur in the amendment to section 46, excepted in the foregoing motion ;

Which motion did not prevail, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gorman,	Mr. Norris,	
Adsit,	Green,	J. M. Osborn,	
Atwood,	Grosvenor,	Pearl,	
Bates,	Hart,	Phillips,	
Cameron,	Haywood,	Pierson,	
Chamberlain,	N. R. Hill,	Rood,	
Childs,	S. W. Hill,	Roof,	
Clement,	Holland,	Ross,	
Cochrane,	Huff,	Runyan,	
Congdon,	Hughes,	Sumner,	
Crane,	Knapp,	Van Scoy,	
Crofoot,	Little,	Walton,	
Fenton,	E. R. Miller,	White,	41
Ferry,	Minne,		

NAYS.

Mr. Andrews,	Mr. Greusel,	Mr. P. Mitchell,
Barnaby,	Haack,	W.H.C. Mitchell,

Mr. Brockway,	Mr. H. Haynes,	Mr. Pattengell,
Brown,	J. Haynes,	Post,
Cherry,	Hazen,	Priest,
Climie,	Houseman,	Riford,
Copley,	Hoyt,	Roost,
Coulter,	Hurlbut,	Thayer,
Doty,	Huston,	Tobey,
Ferris,	Kellogg,	Walker,
Garrison,	Lamb,	Webster,
Gibson,	McGonegal,	Wells,
Gillam,	N. L. Miller,	Williams,
R. J. Grant,	R. C. Miller,	Speaker,
Gray,		43

Mr. Hazen, by unanimous consent, moved to take from the table the substitute for House bill No. 173, entitled

A bill to apportion anew the representatives among the several counties and districts of this State;

Which motion prevailed.

The question being on the passage of the bill,

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Green,	Mr. Minne,
Adams,	Greusel,	P. Mitchell,
Adsit,	Grosvenor	W.H.C. Mitchell,
Andrews,	Haack,	Norris,
Atwood,	Harris,	J. M. Osborn,
Barnaby,	Hart,	Pattengell,
Brockway,	H. Haynes,	Phillips,
Brown,	J. Haynes,	Pierson,
Cameron,	Haywood,	Post,
Chamberlain,	Hazen,	Priest,
Cherry,	N. R. Hill,	Riford,
Childs,	S. W. Hill,	Rood,
Clement,	Holland,	Roof,
Climie,	Houseman,	Roost,
Congdon,	Hoyt,	Ross,
Copley,	Huff,	Runyan,
Coulter,	Huston,	Smith,
Crane,	Hurlbut,	Sumner,
Crofoot,	Kellogg,	Swineford,
Doty,	Knapp,	Tobey,

Mr. Ferris, Ferry, Garfield, Garrison, Gillam, R. J. Grant, Gray,	Mr. } Lamb, Little, McGonegal, E. R. Miller, N. L. Miller, R. C. Miller, Millington,	Mr. Van Scoy, Walker, Walton, Webster, Wells, Williams, Speaker,	81
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NAYS.

Mr. Cochran, Fenton,	Mr. Gibson, Gorman,	Mr. Pearl, White,	6
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Title agreed to.

Mr. Barnaby, by unanimous consent, moved to take from the table House bill No. 376, entitled

A bill providing for the construction of a ditch or drain in the townships of Newark and Arcada, in the county of Gratiot, and appropriating State swamp land for the construction of the same;

Which motion prevailed.

The question being on the passage of the bill,

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam, Adams, Adsit, Andrews, Atwood, Barnaby, Brockway, Brown, Cameron, Clement, Climie, Cochran, Congdon, Copley, Coulter, Crane, Crofoot,	Mr. Garrison, C. B. Grant, Green, Greusel, Haack, Harris, Hart, H. Haynes, J. Haynes, Haywood, Hazen, N. R. Hill, S. W. Hill, Holland, Huff, Huston, Kellogg,	Mr. McGonegal, E. R. Miller, N. L. Miller, R. C. Miller, Millington, W.H.C. Mitchell, Norris, J. M. Osborn, Pattengell, Phillips, Pierson, Priest, Rood, Sumner, Swineford, Thayer, Walker,
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Mr. Doty, Ferris, Garfield,	Mr. Knapp, Lamb, Little,	Mr. Walton, Webster,	59
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NAYS.

Mr. Chamberlain. Cherry, Childs, Ferry, Gibson, Gillam, R. J. Grant,	Mr. Gorman, Grosvenor, Houseman, Hughes, Minne, P. Mitchell,	Mr. Riford, Ross, Tobey, Van Scoy, Williams, Speaker,	19
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Title agreed to.

On motion of Mr. Barnaby,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Gillam moved that the House take up the order of "motions and resolutions ;"

Which motion did not prevail.

Mr. Hazen, by unanimous consent, moved to take from the table House bill No. 350, entitled

A bill to complete the western portion of the Capac and Clyde State road ;

Which motion prevailed.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Hazen moved to amend the bill by adding at the end of section 4 the following: "The highway taxes appropriated by this act shall be expended in the township in which the same is collected ;"

Which motion prevailed.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam, Adams, Andrews, Barnaby, Bates,	Mr. Harris, H. Haynes, J. Haynes, Haywood, Hazen,	Mr. W.H.C. Mitchell, Norris, J. M. Osborn, Pearl, Phillips,
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Mr. Brockway,	Mr. S. W. Hill,	Mr. Pierson,
Brown,	Holland,	Priest,
Cameron,	Houseman,	Riford,
Climie,	Hoyt,	Roost,
Crane,	Huff,	Ross,
Doty,	Hurlbut,	Sumner,
Garrison,	Huston,	Swineford,
Gibson,	McGonegal,	Thayer,
O. B. Grant,	N. L. Miller,	Tobey,
R. J. Grant,	R. C. Miller,	Webster,
Gray,	Millington,	Wells,
Green,	Minne,	Speaker, 51

NAYS.

Mr. Adsit,	Mr. Crofoot,	Mr. Knapp,
Atwood,	Ferris,	Lamb,
Chamberlain,	Ferry,	Little,
Cherry,	Garfield,	E. R. Miller,
Childs,	Gillam,	Post,
Clement,	Greusel,	Van Scoy,
Cochrane,	Haack,	Walker,
Congdon,	Hart,	Walton,
Copley,	N. R. Hill,	Williams,
Coulter,	Kellogg,	29

The question being on agreeing to the title,

On motion of Mr. Hazen,

The title was amended so as to read as follows:

A bill to provide for laying out and constructing a State road in the townships of Muzzy and Lynn, in the county of St. Clair, State of Michigan, and making an appropriation of non-resident highway taxes to aid in constructing the same, to be known as the Muzzy and Lynn State road.

The title, as amended, was then agreed to.

On motion of Mr. Hazen,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

PRESENTATION OF PETITIONS.

By Mr. Atwood: Petition of Frank Wells, E. H. Whitney, and 159 others, citizens of Lansing, for the establishment of a Soldiers' Orphan School, and for the maintenance of the same by the use of the military fund ;

Referred to the committee on education.

By Mr. Haynes: Remonstrance of William B. Mason, Origen Bingham, and 120 others, citizens of Coldwater, Branch county, against the vacation of the old cemetery on section 15, in said city;

Laid on the table.

REPORTS OF STANDING COMMITTEES.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred

A bill for the relief of Milo R. Campbell from the payment of five dollars an acre for certain Agricultural College lands,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

H. T. BARNABY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bates,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges to whom was referred Senate bill No. 229, entitled

A bill to confirm and legalize the action of the board of supervisors of the county of Houghton, in consenting to the building of a bridge across Portage lake, in said county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

pass, and ask to be discharged from the further consideration of the subject.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred Senate bill No. 228, entitled

A bill to provide for the election of three general and two special highway commissioners in the several counties of this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Walton,

The bill was laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to prevent animals from trespassing,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred Senate manuscript bill, entitled

A bill to legalize the tax and assessment rolls of the village of New Baltimore for the years A. D. 1869 and 1870, and to renew and continue in force the warrants attached to said tax and assessment rolls,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. H. CRANE, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill No. 122, being

A bill to amend section 1, of act No. 162, laws of 1851, being "An act to provide the furnishing of fuel and stationery for the use of the State, and also the State printing and binding," approved June 24th, 1851,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman*.

Report accepted and committee discharged.

Mr. N. L. Miller moved to lay the bill on the table;

Which motion did not prevail.

On motion of Mr. R. J. Grant,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. Copley,

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on judiciary :

The committee on judiciary, to whom was referred Senate bill No. 20, entitled

A bill to confirm letters of attorney in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Doty,

The House concurred in the amendment made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on judiciary :

The committee on judiciary, to whom was recommitted House bill No. 373, entitled

A bill to amend act No. 187, of session laws of 1859, being section 5644 of compiled laws, and to repeal act No. 15, of session laws of 1862, and act No. 79, of session laws of 1863, relative to estates of deceased persons,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

L. COCHRANE, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. J. M. Osborn,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Riford,

The vote by which the House concurred in the amendments made to the bill by the committee was reconsidered.

The question being on concurring,

Mr. Adams moved to amend the amendments by striking out the words "one-fifth," and inserting the words "one-tenth" in lieu thereof, wherever they occur in said amendments;

Which motion prevailed.

The amendments, as amended, were then concurred in.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. Millington,
Adams,	Gorman,	Norris,
Adsit,	Gray,	C. Y. Osburn,
Andrews,	Green,	J. M. Osborn,
Barnaby,	Greusel,	Pattengell,
Bates,	Grosvenor,	Pearl,
Brockway,	Haack,	Phillips,
Brown,	Harris,	Pierson,
Cameron,	Hart,	Priest,
Chamberlain,	H. Haynes,	Riford,
Cherry,	J. Haynes,	Rood,
Childs,	Hazen,	Roof,
Clement,	N. R. Hill,	Roost,
Climie,	S. W. Hill,	Ross,
Cochrane,	Holland,	Runyan,
Copley,	Hoyt,	Sumner,
Coulter,	Huff,	Swineford,
Crane,	Hurlbut,	Thayer,
Crofoot,	Kellogg,	Tobey,
Doty,	Knapp,	Van Scoy
Fenton,	Lamb,	Walker,
Ferry,	Little,	Walton,
Garfield,	McGonegal,	Webster,
Garrison,	E. R. Miller,	Wells,
Gibson,	N. L. Miller,	Williams,
Gillam,	R. C. Miller,	Speaker,
O. B. Grant,		

79

NAYS.

0

The question being on agreeing to the title,

On motion of Mr. Cochrane,

The title was amended as follows: "After figures "1859," insert "approved February 15, 1859;" strike out the words "being section 5644 of the compiled laws;" after figures "1862," insert "approved January 17, 1862;" after figures "1863," insert "approved March 11, 1863."

On motion of Mr. Brockway,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on education,

The committee on education, to whom was recommitted House joint resolution No. 7, entitled

Joint resolution making additional appropriation for the geological survey for the years 1871 and 1872, and for publishing the results of the present and future surveys,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Garrison,

The House concurred in the amendment made to the joint resolution by the committee.

The question being on the passage of the joint resolution, pending the taking of the vote on the passage thereof,

Mr. Swineford moved that there be a call of the House;

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs. Ferris, Hughes, P. Mitchell, and Smith.

On motion of Mr. Little,

All further proceedings under the call were dispensed with.

Mr. Bates moved to amend the joint resolution by adding thereto the following: "*Provided*, That when published, the Secretary of State shall be authorized to sell the reports at a price not less than \$3 50 per volume ;"

Which motion prevailed.

The joint resolution was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. R. J. Grant,	Mr. McGonegal,
Atwood,	Greusel,	E. R. Miller,
Bates,	Grosvenor,	Minne,
Brockway,	Harris,	W.H.C. Mitchell,
Cochrane,	Hart,	Montgomery,
Copley,	J. Haynes,	C. Y. Osburn,
Crofoot,	Haywood,	Pattengell,
Fenton,	Holland,	Priest,
Ferris,	Hoyt,	Roof,
Garrison,	Hughes,	Roost,
Gibson,	Little,	Swineford,
C. B. Grant,		

34

NAYS.

Mr. Adam,	Mr. Haack,	Mr. Phillips,
Adsit,	H. Haynes,	Pierson,
Andrews,	N. R. Hill,	Post,
Brown,	S. W. Hill,	Rood,
Cameron,	Huff	Ross,
Cherry,	Hurlbut,	Sumner,
Childs,	Huston,	Thayer,
Clement,	Kellogg,	Tobey,
Olimie,	Knapp,	Van Scoy,
Congdon,	Lamb,	Walker,
Crane,	N. L. Miller,	Walton,
Doty,	R. C. Miller,	Webster,
Ferry,	Millington,	White,
Gillam,	P. Mitchell,	Williams,
Gorman,	Norris,	Speaker,
Green,		

46

By the committee on judiciary:

The committee on judiciary, to whom was referred Senate joint resolution No. 16, being

Joint resolution proposing an amendment to section 7, article 6, and section 1, article 9, of the constitution of the State, relative to the number and limits of judicial circuits, and the salaries of the judges of the circuit courts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the joint resolution, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. N. L. Miller,

The House concurred in the amendment made to the joint resolution by the committee.

The joint resolution was then referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to vacate certain townships in the county of Houghton, and to attach the territory of the same to the other townships in said county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

N. L. MILLER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Holland,

The bill was laid on the table.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following :

STATE TREASURER'S OFFICE, }
Lansing, April 11, 1871. }

Hon. J. J. Woodman, Speaker of the House of Representatives :

SIR—In reply to a resolution of the House passed this day, requesting the State Treasurer to inform the House “ what amount is now due to the county of Calhoun, as interest on the swamp land fund, on account of swamp lands sold from that county,”

I would respectfully inform you that no accounts with the counties are kept in this department, and that I have in my possession no data whatever upon which to base a reply.

Yours, respectfully,

H. D. BARTHOLOMEW,
Deputy State Treasurer.

The communication was laid on the table.

Mr. Brockway, by unanimous consent, offered the following :

Resolved, That the Commissioner of the State Land Office be and he hereby is requested, at his earliest convenience, to inform this House what amount is now due the county of Calhoun as interest from the swamp land fund, on account of lands sold from that county under the provisions of section 5 of an act to provide for the sale of the swamp lands and the reclamation thereof, and to secure the pre-emption claims of settlers thereon, approved February 4, 1858 ;

Which was adopted.

The Speaker also announced the following :

STATE DEPARTMENT MICHIGAN, }
SECRETARY'S OFFICE, }
Lansing, April 11, 1871. }

Hon. J. J. Woodman, Speaker House of Representatives :

SIR—In compliance with a resolution of the House, to-day, I hand you herewith a true copy of the statement of account of the State Swamp Land Road Commissioner with the State,

in relation to trespasses upon the public lands during 1869-70, as appears from the files of the Board of State Auditors in their annual settlement with said Commissioner, which statement contains the information called for.

Very respectfully,

SAMUEL H. ROW,

Deputy Secretary of State.

The following is the accompanying statement:

L. B. Curtis, Swamp Land State Road Commissioner, in account with the State of Michigan.

1869.

DR.

Feb. 8. To cash received of Charles M. Hardy, per Thomas Snell, in settlement of trespass on S. W. $\frac{1}{4}$ of S. E. $\frac{1}{4}$ Sec. 20, T. 17 N., R. 12 E.	\$30 00
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June 18. To cash received of Nelson Ganong, per S. N. Wilcox, in part for trespass on E. $\frac{1}{2}$ of N. E. $\frac{1}{4}$, W. $\frac{1}{2}$ of N. E. $\frac{1}{4}$, N. W. $\frac{1}{4}$ of S. E. $\frac{1}{4}$, and N. E. $\frac{1}{4}$ of S. W. $\frac{1}{4}$ of Sec. 36, T. 22 N., R. 5 W.	800 00
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Aug. 7. To cash for balance of above received of Thomas Wilcox & Co.	375 00
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1870.

April 6. To cash received of Nathan W. Gooch for settlement of trespass on S. E. $\frac{1}{4}$ and N. E. $\frac{1}{4}$ of N. W. $\frac{1}{4}$ of Sec. 33, T. 22 N., R. 7 W.	909 00
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Aug. .. To cash received of N. W. Crosby, on tres- pass committed on S. E. $\frac{1}{4}$ of S. E. $\frac{1}{4}$ of Sec. 18, T. 10 N., R. 7 W.	50 00
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\$2,164 00

1869.

CR.

Nov. 3. By cash paid J. S. Sanford for looking
trespasses on Stateswamp lands, 105
days, @ \$4.00 per day \$420 00

3. By paid man to help, 51 days, @
\$2.00 102 00

3. By cash for expenses of same..... 103 50

1870. \$625 50

May 16. By cash paid R. J. Porter for 16 days and
expenses, looking up trespasses.... 71 25

Oct. 7. By cash paid R. J. Porter for 52 days and
expenses, looking up trespasses.... 208 00

Nov. 10. By cash paid R. C. Baxter for 86
days, @ \$4.50..... \$387 00

10. By cash paid R. C. Baxter for 55
days' help, @ \$2.25..... 123 75

10. By cash paid R. C. Baxter for ex-
penses for same..... 142 30

655 05

\$1,560 80

Dr. to balance \$606 20

The above statement of account examined and found correct in every particular, and the State Swamp Land Commissioner exhibits a receipt from State Treasurer for the amount found due, \$606 20.

B. D. PRITCHARD,
Chairman pro. tem.

O. L. SPAULDING,
Secretary of Board.

Filed December 28, 1870.

The communication was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, April 10, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 162, entitled

A bill to provide for laying out and establishing a State road in the township of Eagle Harbor, county of Keweenaw,

And to inform the House that the Senate has amended the same as follows:

1. Section 1, line 2, by striking out the words “with full power and authority;”

2. Section 1, line 3, by striking out the words “village of Eagle Harbor,” and inserting in place thereof the words “township of Sherman;”

3. By striking out section 2;

The Senate has also amended the title by striking out the words “Eagle Harbor,” and inserting in place thereof the word “Sherman;”

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,
Secretary of the Senate.

Mr. S. W. Hill moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Adsit,
Atwood,
Barnaby,

Mr. Garrison,
Gillam,
R. J. Grant,
Gorman,
Green,

Mr. McGonegal,
E. R. Miller,
N. L. Miller,
Millington,
P. Mitchell,

Mr. Bates,	Mr. Grousel,	Mr. W.H.C. Mitchell,
Brockway,	Haack,	Montgomery,
Brown,	Harris,	Norris,
Cameron,	Hart,	Pattengell,
Chamberlain,	J. Haynes,	Post,
Cherry,	Haywood,	Priest,
Childs,	N. R. Hill,	Rood,
Clement,	S. W. Hill,	Roost,
Climie,	Holland,	Sumner,
Cochrane,	Hoyt,	Thayer,
Congdon,	Huff,	Tobey,
Copley,	Hughes,	Van Scoy,
Coulter,	Hurlbut,	Walker,
Crane,	Kellogg,	Wells,
Crofoot,	Knapp,	White,
Fenton,	Lamb,	Williams,
Ferry,	Little,	Speaker,

66

NAYS.

0

The title, as amended by the Senate, was then agreed to.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER,)
Lansing, April 11, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bills :

1. House bill No. 169, entitled

A bill to authorize the village of Caro to raise money to aid in the construction of a court-house for the county of Tuscola ;

2. House bill No. 355, entitled

A bill to amend sections 1, 3, 4, 5, 6, 8, and 9, and repeal sections 2 and 7, of an act entitled "An act to provide for the further geological survey of the State," approved March 26th, 1869 ;

3. House manuscript bill, entitled

A bill to amend section 10, of an act entitled "An act in relation to life insurance companies transacting business within this State," approved March 30th, 1869, as amended by an

act to amend sections 10 and 12 of an act entitled "An act in relation to life insurance companies transacting business within this State," approved March 30th 1869, and to add three new sections thereto, to stand as sections 27, 28, and 29, approved March 5th, 1871;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 11, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 208, entitled

A bill to lay out and establish a swamp land State road from the center of the township of Dorr to the center of the township of Salem, in Allegan county, the same to be known as the Dorr and Salem swamp land State road;

2. Senate bill No. 209, entitled

A bill to provide for the drainage and reclamation of swamp lands by means of a State road from the village of Leland, in the county of Leelanaw, to the village of Northport, in said county;

3. Senate bill No. 225, entitled

A bill to lay out and establish a swamp land State road from the village of Bangor to the village of South Haven, in the county of Van Buren, the same to be known as the Bangor and South Haven swamp land State road;

Which have passed the Senate by a majority vote of all the

Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,
 HENRY S. SLEEPER,
Secretary of the Senate.

The several named bills were read a first and second time by their titles, and referred to the committee on public lands.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, April 10, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to provide for the appointment of three suitable persons commissioners to draft and prepare a bill for the organization of cities and villages by a general law, as contemplated by article 15, section 13, of the constitution,

And to inform the House that the Senate has amended the same as follows :

1. By striking out the word "three," in line 3 of section 1, and inserting in place thereof the word "one;"
2. By striking out all of section 2 of the bill, and inserting the following in place thereof:

"SEC. 2. The said commissioner shall be paid the sum of five hundred dollars, to be paid on the order of the Governor by the State Treasurer, on the warrant of the Auditor General;"

The Senate has also amended the title of the bill by striking out the word "three," and inserting in place thereof the word "a;" also, by striking off the letter "s" from the words "persons" and "commissioners;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and

has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Hoyt moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. Little,
Adams,	R. J. Grant,	McGonegal,
Andrews,	Gorman,	E. R. Miller,
Atwood,	Green,	N. L. Miller,
Bates,	Greusel,	Millington,
Brockway,	Grosvenor,	P. Mitchell,
Brown,	Haack,	Montgomery,
Cameron,	Harris,	Norris,
Cherry,	Hart,	Pattengell,
Childs,	H. Haynes,	Phillips,
Clement,	J. Haynes,	Post,
Climie,	Haywood,	Priest,
Cochrane,	N. R. Hill,	Roof,
Congdon,	S. W. Hill,	Roost,
Copley,	Holland,	Sumner,
Crane,	Huff,	Van Scoy,
Crofoot,	Hughes,	Walton,
Fenton,	Kellogg,	Wells,
Ferris,	Knapp,	White,
Ferry,	Lamb,	Speaker,
Garrison,		

61

NAYS.

Mr. Hoyt,

1

The title, as amended by the Senate, was agreed to.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 11, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 219, entitled

A bill to amend sections one and three, of act number 76, of the session laws of 1867, being an act entitled "An act to provide for the appointment of a commissioner to be known as the Swamp Land State Road Commissioner," approved March 21st, 1867, as amended by act No. 122, of the session laws of 1869, approved April 3, 1869,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on public lands.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, April 11, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 396, entitled

A bill to amend sections 1, 15, 22, 30, 34, 38, 43, and 64, of an act entitled "An act to charter the village of New Baltimore," approved March 23, 1867, as amended by act No. 296, session laws of 1869,

And to inform the House that the Senate has amended the same as follows :

1. Section 38, line 2, by inserting after the word "thereof," the words "which the common council shall, by resolution duly passed, decide should be assessed to defray;" also, line 2, by striking out the word "of," where it occurs after the word "expenses," and inserting in place thereof the word "for;"

2. Section 38, line 7, by inserting after the word "such," the

word "alleys;" also, line 9, by inserting after the word "thereby," the words "and to make and define taxing districts for such purpose:"

3. Section 43, by inserting after the word "assessment," in line 22, the words "with ten per cent per annum interest to be added from the time the same should have been paid;" by striking out in line 23, the word "sum," and inserting in place thereof the word "same;" by striking out the word "as," in line 25, and inserting in place thereof the word "or;" and by adding at the end of the section, the following words: "all of which are to be collected, returned, or sold, as other village taxes are required to be;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. N. L. Miller moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Green,	Mr. P. Mitchell,
Adams,	Greusel,	Montgomery,
Andrews,	Haack,	Norris,
Atwood,	Harris,	J. M. Osborn,
Bates,	Hart,	Pattengell,
Brockway,	H. Haynes,	Phillips,
Brown,	J. Haynes,	Pierson,
Cameron,	Haywood,	Post,
Cherry,	N. R. Hill,	Priest,
Childs,	S. W. Hill,	Rood,
Climie,	Holland,	Roost,
Cochrane,	Houseman,	Ross,
Congdon,	Hoyt,	Runyan,
Copley,	Huff,	Sumner,
Crane,	Hughes,	Tobey,

Mr. Crofoot,	Mr. Hurlbut,	Mr. Van Scoy,	
Fenton,	Kellogg,	Walker,	
Ferris,	Lamb,	Walton,	
Ferry,	Little,	Webster,	
Garrison,	McGonegal,	Wells,	
Gillam,	E. R. Miller,	White,	
R. J. Grant,	N. L. Miller,	Williams,	
Gorman,	Millington,	Speaker,	69
	NAYS.		0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

Mr. E. R. Miller moved that the House take a recess until 2 o'clock this afternoon.

Which motion did not prevail.

THIRD READING OF BILLS.

House bill No. 377, entitled

A bill to provide for laying out and establishing a State road from town twenty-four north, of range four east, to the meridian,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Haack,	Mr. P. Mitchell,	
Adams,	Harris,	W.H.O. Mitchell,	
Adsit,	Hart,	Montgomery,	
Atwood,	H. Haynes,	Norris,	
Barnaby,	J. Haynes,	J. M. Osborn,	
Bates,	Haywood,	Pattengell,	
Brockway,	N. R. Hill,	Phillips,	
Brown,	S. W. Hill,	Post,	
Cherry,	Holland,	Priest,	
Climie,	Houseman,	Riford,	
Cochrane,	Hughes,	Rood,	
Copley,	Hurlbut,	Runyan,	
Crane,	Knapp,	Sumner,	
Crofoot,	Lamb,	Tobey,	
Doty,	Little,	Walker,	
Fenton,	McGonegal,	Walton,	
Garrison,	E. R. Miller,	Wells,	
Gillam,	N. L. Miller,	White,	
R. J. Grant,	R. C. Miller,	Speaker,	
Greusel,	Millington,		59

NAYS.

Mr. Childs,
Congdon,
Ferris,
Ferry,

Mr. Gorman,
Green,
Roost,
Ross,

Mr. Van Scoy
Webster,
Williams,

11

Title agreed to.

On motion of Mr. Bates,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 411, entitled

A bill to amend chapter 12, of the revised statutes of 1846, entitled "The Board of State Auditors," by adding thereto three sections,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Adam,

The bill was amended by striking out, in line 11, section 52, the word "preceding," and inserting the word "succeeding" in lieu thereof; also, by striking out, in line 1, section 53, the word "preceding," and inserting the word "succeeding" in lieu thereof.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Adsit,
Andrews,
Atwood,
Barnaby,
Broekway,
Cameron,
Chamberlain,
Cherry,
Childs,
Clement
Climie,
Cochrane,
Congdon,

Mr. Green,
Greusel,
Grosvenor,
Haack
Harris,
Hart,
H. Haynes,
J. Haynes,
Haywood,
N. R. Hill,
S. W. Hill,
Holland,
Holt,
Houseman,
Hoyt,

Mr. N. L. Miller,
R. C. Miller,
Millington,
P. Mitchell,
W.H.C. Mitchell,
Montgomery,
Norris,
J. M. Osborn,
Pattengell,
Phillips,
Pierson,
Priest,
Riford,
Rood,
Roost,

Mr. Copley,	Mr. Huff,	Mr. Runyan,
Crofoot,	Hughes,	Sumner,
Doty,	Hurlbut	Van Scoy,
Fenton,	Huston,	Walker,
Ferris,	Kellogg,	Walton,
Ferry,	Knapp,	Webster,
Garrison,	Lamb,	Wells,
Gillam,	Little,	White,
R. J. Grant,	McGonegal,	Williams,
Gorman,	E. R. Miller,	Speaker,
Gray,		

76

NAYS.

0

The question being on agreeing to the title,

On motion of Mr. Adam,

The title was amended by striking out the word "three," and inserting the word "four" in lieu thereof.

The title, as amended, was then agreed to.

On motion of Mr. Root,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Gillam,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

THIRD READING OF BILLS.

House bill No. 412, entitled

A bill to exempt the county of Oakland from the operation of act No. 55, of the session laws of 1867, entitled "An act to provide for county superintendents of schools, and to amend section 91, and to repeal sections 74, 85, 86, 87, 88, 89, and 90, of chapter 78, of the compiled laws,"

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Gillam offered the following substitute for the bill :

“SECTION 1. *The People of the State of Michigan enact*, That sections 1, 2, 3, and 14, of act No. 55, of the session laws of the year 1867, being an act to provide for county superintendents of schools, and to amend section 91, and repeal sections 74, 85, 86, 87, 88, 89, and 90, of chapter 78, of the compiled laws, be amended so as to read as follows :

SECTION 1. The board of supervisors of the several counties of this State may in their discretion appoint a county superintendent of schools, whose term of office shall commence on the first Monday of April following his appointment, and continue for one year: *Provided*, That this amendment shall not have the effect to remove any county superintendent of schools already elected, unless the board of supervisors shall remove him, as provided for in this act.

SEC. 2. In case no appointment of county superintendents of schools shall be made by the board of supervisors in said counties, as provided in this act, the board of school inspectors of the several townships of said counties shall have all the power, and shall perform all the duties in the township in which they reside, and for which they were elected, that is conferred upon county superintendents of schools by said act number fifty-five, to the provisions of which act they shall be subject so far as the same may be applicable. They shall appoint one of their number to visit each school in the township at least once in each year, as required by section nine of said act, and such visiting inspector shall receive for his services while visiting schools, to be paid out of the contingent fund of the township, such compensation as the township board may determine, but such compensation shall not be less than the inspectors receive for other services.

SEC. 3. The board of supervisors of any county may, when

they shall deem it for the interest of their county, by a majority vote of the members elected at any regular meeting, remove from office any county superintendent of schools, whether he was elected or appointed.

SEC. 14. Whenever, by death, resignation or removal, or otherwise, the office of county superintendent shall become vacant, the board of supervisors shall have power to fill such vacancy.

Mr. Huston moved to amend the substitute by striking out the word "majority" in section 3, and inserting the words "three-fourths" in lieu thereof;

Which motion prevailed.

The substitute, as amended, was then adopted.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gray,	Mr. J. M. Osborn,
Adsit.	Green,	Pearl,
Andrews,	Haack,	Phillips,
Barnaby	Harris,	Pierson,
Brown,	H. Haynes,	Priest,
Cameron,	Haywood,	Riford,
Chamberlain,	Hazen,	Rood,
Childs,	N. R. Hill,	Roof,
Clement,	S. W. Hill,	Roost,
Climie,	Houseman,	Runyan,
Cochrane,	Huff,	Sumner,
Congdon,	Hurlbut,	Thayer,
Copley,	Huston,	Tobey,
Coulter,	Kellogg,	Van Scoy,
Crane,	Knapp,	Walker,
Doty,	Lamb,	Walton,
Fenton,	McGonegal,	Webster,
Ferris,	E. R. Miller,	Wells,
Ferry,	R. C. Miller,	White,
Garfield,	Millington,	Williams,
Gillam,	Minne,	Speaker,
Gorman,	Norris,	

NAYS.

Mr. Adams,	Mr. Greusel,	Mr. Little,
Bates,	Grosvenor,	N. L. Miller,
Brockway,	Hart,	P. Mitchell,
Cherry,	J. Haynes,	W.H.O. Mitchell,
Crofoot,	Holland,	C. Y. Osburn,
Garrison,	Holt,	Post,
Gibson,	Hoyt,	Ross,
C. B. Grant,	Hughes,	Swineford,
R. J. Grant,		

25

The question being on agreeing to the title,

On motion of Mr. Gillam,

The title was amended so as to read as follows :

A bill to amend sections 1, 2, 3, and 14, of act number 55, of the session laws of the year 1867, being an act to provide for county superintendents of schools, and to amend section 91, and to repeal sections 74, 85, 86, 87, 88, 89, and 90, of chapter 78, of compiled laws.

The title, as amended, was then agreed to.

On motion of Mr. Gillam,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. J. Haynes moved to reconsider the vote by which the House adhered to its amendments to Senate bill No. 61, entitled

A bill to lay out and establish a State road in the counties of Midland and Gladwin, and to appropriate certain non-resident highway taxes for the construction thereof ;

Which motion prevailed.

On motion of Mr. J. Haynes,

The Clerk was instructed to request the Senate to return the bill to the House.

Mr. Fenton, by unanimous consent, moved to take from the table House bill No. 361, entitled

A bill to lay out and establish a State road from the village of Cheboygan, in the county of Cheboygan, to Little Traverse Bay, in Emmet county ;

Which motion prevailed.

The question being on the passage of the bill,

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Harris,	Mr. W.H.C. Mitchell,
Adsit,	Hart,	Norris,
Andrews,	H. Haynes,	C. Y. Osburn,
Barnaby,	J. Haynes,	J. M. Osborn,
Bates,	Haywood,	Pattengell,
Brockway,	Hazen,	Pearl,
Brown,	N. R. Hill,	Phillips,
Cameron,	S. W. Hill,	Pierson,
Cherry,	Holland,	Priest,
Childs,	Houseman,	Rood,
Climie,	Hoyt,	Roof,
Cochrane,	Huff,	Roost,
Congdon,	Hughes,	Runyan,
Copley,	Hurlbut,	Sumner,
Crane,	Huston,	Swineford,
Crofoot,	Knapp,	Thayer,
Fenton,	Little,	Tobey,
Ferris,	McGonegal,	Van Scoy,
Garfield,	E. R. Miller,	Walton,
Garrison,	N. L. Miller,	Webster,
Gray,	R. C. Miller,	Wells,
Greusel,	Minne,	White,
Grosvenor,	P. Mitchell,	Speaker,
Haack,		

70

NAYS.

Mr. Adam,	Mr. R. J. Grant,	Mr. Post,
Chamberlain,	Gorman,	Riford,
Coulter,	Green,	Ross,
Ferry,	Kellogg,	Walker,
Gibson,	Lamb,	Williams,
C. B. Grant,	Montgomery,	

17

Title agreed to.

On motion of Mr. Fenton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 413, entitled

A bill to legalize the streets and highways within the corporate limits of the village of Benton Harbor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gray,	Mr. W.H.C. Mitchell,
Adams,	Grensel,	Montgomery,
Adsit,	Grosvenor,	C. Y. Osburn,
Andrews,	Haack,	J. M. Osborn,
Barnaby,	Harris,	Pattengell,
Bates,	Hart,	Phillips,
Cameron,	H. Haynes,	Pierson,
Chamberlain,	J. Haynes,	Priest,
Cherry,	Hazen,	Riford,
Childs,	N. R. Hill,	Rood,
Clement,	S. W. Hill,	Roof,
Climie,	Holland,	Roost,
Cochrane,	Holt,	Ross,
Congdon,	Houseman,	Sumner,
Coulter,	Hoyt,	Swineford,
Crofoot,	Huff,	Thayer,
Ferris,	Hughes,	Tobey,
Ferry,	Kellogg,	Van Scoy,
Garfield,	Lamb,	Walker,
Garrison,	Little,	Walton,
Gibson,	E. R. Miller,	Webster,
Gillam,	N. L. Miller,	Wells,
C. B. Grant,	R. C. Miller,	Williams,
R. J. Grant,	Millington,	Speaker,
Gorman,	Minne,	

74

0

NAYS.

Title agreed to.

On motion of Mr. Riford,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from his Excellency the Governor, in writing.

House bill No. 414, entitled

A bill to change the name of George F. Carney to George F. Powers, and that he be constituted heir-at-law of Isaiah Start Powers and Mary Powers,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. C. B. Grant,	Mr. N. L. Miller,
Adams,	R. J. Grant,	R. C. Miller,
Adsit,	Gorman,	Millington,
Andrews,	Gray,	P. Mitchell,
Barnaby,	Green,	W.H.C. Mitchell,
Bates,	Grensel,	Norris,
Brown,	Grosvenor,	C. Y. Osburn,
Cameron.	Haack,	J. M. Osborn,
Chamberlain,	Harris,	Pattengell,
Cherry,	Hart,	Pierson,
Childs,	H. Haynes,	Post,
Clement,	J. Haynes,	Priest,
Climie,	Haywood,	Rood,
Cochrane,	Hazen,	Roof,
Congdon,	S. W. Hill,	Roost,
Copley,	Holland,	Ross,
Coulter,	Houseman,	Sumner,
Crane,	Hoyt,	Swineford,
Crofoot,	Huff,	Thayer,
Fenton,	Hurlbut,	Tobey,
Ferris,	Kellogg,	Van Scoy,
Ferry,	Lamb,	Walker,
Garfield,	Little,	Walton,
Garrison,	McGonegal,	Wells,
Gibson,	E. R. Miller,	Speaker, 75

NAYS.

Mr. Gillam,	Mr. Minne,	Mr. Williams, 3
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Title agreed to.

On motion of Mr. Ferris,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 415, entitled

A bill to facilitate the business of circuit court commissioners, and to repeal act number 6, of the session laws of 1869, approved January 30, 1869,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. Minne,
Adams,	Gorman,	P. Mitchell,
Adsit,	Gray,	Montgomery,
Andrews,	Green,	Norris,
Barnaby,	Greusel,	C. Y. Osburn,
Bates,	Haack,	Pattengell,
Brockway,	Harris,	Phillips,
Brown,	H. Haynes,	Pierson,
Cameron,	J. Haynes,	Post,
Chamberlain,	Haywood,	Priest,
Cherry,	Hazen,	Rood,
Childs,	N. R. Hill,	Roof,
Clement,	S. W. Hill,	Roost,
Climie,	Holland,	Ross,
Cochrane,	Houseman,	Runyan,
Congdon,	Hoyt,	Sumner,
Copley,	Huff,	Swineford,
Coulter,	Hughes,	Thayer,
Crane,	Hurlbut,	Tobey,
Fenton,	Huston,	Van Scoy,
Ferris,	Kellogg,	Walker,
Ferry,	McGonegal,	Walton,
Garfield,	E. R. Miller,	Webster,
Garrison,	N. L. Miller,	Wells,
Gibson,	R. C. Miller,	Williams,
Gillam,	Millington,	Speaker,
C. B. Grant.		

79

NAYS.

0

Title agreed to.

On motion of Mr. Hoyt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 416, entitled

A bill to vacate the township of Algonquin, in Ontonagon county, and to attach the same to the township of Greenland, in said county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. R. C. Miller,
Adams,	Gorman,	Millington,

Mr. Adsit,	Mr. Gray,	Mr. P. Mitchell,
Andrews,	Green,	W.H.C. Mitchell,
Barnaby,	Greusel,	Montgomery,
Bates,	Grosvenor,	Norris,
Brockway,	Haack,	C. Y. Osburn,
Brown,	Harris,	Phillips,
Cameron,	Hart,	Pierson,
Chamberlain,	H. Haynes,	Priest,
Cherry "	J. Haynes,	Rood,
Childs,	Haywood,	Roof,
Climie,	Hazen,	Roost,
Cochrane,	N. R. Hill,	Sumner,
Congdon,	S. W. Hill,	Swineford,
Copley,	Holland,	Thayer,
Coulter,	Houseman,	Tobey,
Crane,	Huff,	Van Scoy,
Fenton,	Hughes,	Walker,
Ferris,	Huston,	Walton,
Garfield,	Kellogg,	Webster,
Garrison,	Lamb,	Wells,
Gibson,	McGonegal,	Williams,
Gillam,	E. R. Miller,	Speaker,
C. B. Grant,	N. L. Miller,	74
	NAYS.	0

Title agreed to.

On motion of Mr. Holland,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 211, entitled

A bill to incorporate the village of Galien,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. Millington,
Adams,	Gorman,	Minne,
Adsit,	Gray,	P. Mitchell,
Andrews,	Green,	W.H.C. Mitchell
Barnaby,	Greusel,	Montgomery,
Bates,	Grosvenor,	Norris,
Brown,	Haack,	C. Y. Osburn,
Cameron,	Harris,	Pattengell,
Chamberlain,	Hart,	Phillips,
Cherry,	H. Haynes.	Pierson,

Mr. Childs,
Clement,
Climie,
Cochrane,
Congdon,
Copley,
Coulter,
Crane,
Crofoot,
Fenton,
Ferris,
Garfield,
Gibson,
Gillam,
C. B. Grant,

Mr. J. Haynes,
Haywood,
Hazen,
N. R. Hill,
Holland,
Houseman,
Huff,
Hughes,
Hurlbut,
Kellogg,
Lamb,
McGonegal,
E. R. Miller,
R. C. Miller,

Mr. Priest,
Rood,
Roof,
Roost,
Ross,
Sumner,
Swineford,
Thayer,
Van Scoy,
Walton,
Webster,
Wells,
Williams,
Speaker,

NAYS.

73
0

Title agreed to.

On motion of Mr. Chamberlain,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 418, entitled

A bill to repeal act number 145, of the session laws of 1863, entitled "An act to provide for the sale of swamp and primary school lands, in the mineral range of the Upper Peninsula, heretofore withheld from market as mineral lands," approved March 19th, 1863,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. S. W. Hill moved to amend the bill by striking out, in line 2, section 1, the words "offered and ;"

Which motion prevailed.

On motion of Mr. Grosvenor,

The bill was laid on the table.

House bill No. 421, entitled

A bill to change the names of James Selkrig, Hannah Selkrig, James Edward Selkrig, Henrietta Elizabeth Selkrig, Adde Bell Selkrig, and Charles Ellis Manly Selkrig, to Selkirk,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. C. B. Grant,	Mr. Lamb,
Adams,	R. J. Grant,	McGonegal,
Adsit,	Gorman,	N. L. Miller,
Andrews,	Green,	R. C. Miller,
Barnaby,	Greusel,	Millington,
Bates,	Grosvenor,	P. Mitchell,
Brockway,	Haack,	W.H.C. Mitchell,
Brown,	Harris,	C. Y. Osburn,
Cameron,	Hart,	Phillips,
Chamberlain,	H. Haynes,	Priest,
Cherry,	Hazen,	Riford,
Childs,	N. R. Hill,	Roof,
Clement,	S. W. Hill,	Roost,
Climie,	Holland,	Thayer,
Cochrane,	Holt,	Tobey,
Congdon,	Houseman,	Van Scoy
Copley,	Huff,	Walton,
Coulter,	Hughes,	Webster,
Crofoot,	Hurlbut,	White,
Ferris,	Huston,	Speaker,
Gillam,	Kellogg,	

62

NAYS.

Mr. Ferry,	Mr. Minne,	Mr. Walker,
Garrison,	Norris,	Wells,
Haywood,	Pattengell,	Williams,
E. R. Miller,	Rood,	

11

Title agreed to.

On motion of Mr. Cameron,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 422, entitled

A bill to amend section 5, of act No. 163, entitled "An act relative to laying out, altering, and discontinuing highways," approved March 15, 1861,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. C. B. Grant,	Mr. McGonegal,
Adams,	R. J. Grant,	E. R. Miller,
Adsit,	Gorman,	R. C. Miller,

Mr. Andrews,	Mr. Gray,	Mr. Millington,
Bates,	Green,	Minne,
Brockway,	Greusel,	P. Mitchell,
Brown,	Haack,	W.H.C.Mitchell,
Cameron,	Hart,	Norris,
Cherry,	H. Haynes,	Pattengell,
Childs,	J. Haynes,	Pierson,
Clement,	Haywood,	Priest,
Olimie,	N. R. Hill,	Rood,
Cochrane,	S. W. Hill,	Roof,
Congdon,	Holland,	Roost,
Copley,	Houseman,	Thayer,
Crane,	Hoyt,	Tobey,
Crofoot,	Huff,	Van Scoy,
Ferris,	Hughes,	Walker,
Ferry,	Hurlbut,	Walton,
Garrison,	Kellogg,	Wells,
Gibson,	Knapp,	Williams,
Gillam,	Lamb,	Speaker,
	NAYS.	66
		0

Title agreed to.

On motion of Mr. Pattengell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 88, entitled

A bill to amend an act entitled "An act to amend an act entitled 'An act to establish a police government in the city of Detroit,' and to add two more sections thereto," approved March 9, 1867,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Gibson,	Mr. Hoyt,	Mr. Wells,
Holt,	McGonegal,	5

NAYS.

Mr. Adam,	Mr. R. J. Grant,	Mr. N. L. Miller,
Adsit,	Gorman,	R. C. Miller,
Andrews,	Gray,	Millington,
Barnaby,	Green,	Minne,
Brockway,	Greusel,	W.H.C.Mitchell,
Brown,	Haack,	Norris,

Mr. Cameron,	Mr. Harris,	Mr. C. Y. Osburn,
Chamberlain,	Hart,	Pattengell,
Cherry,	H. Haynes,	Pearl,
Childs,	J. Haynes,	Phillips,
Clement,	Haywood,	Priest,
Climie,	Hazen,	Roof,
Cochrane,	N. R. Hill,	Roost,
Congdon,	S. W. Hill,	Ross,
Coulter,	Holland,	Tobey,
Crane,	Houseman,	Van Scoy,
Crofoot,	Hughes,	Walker,
Ferris,	Huston,	Walton,
Ferry,	Kellogg,	Webster,
Garrison,	Knapp,	Williams,
Gillam,	Lamb,	Speaker,
C. B. Grant,		

64

House bill No. 420, entitled

A bill to provide for the drainage and reclamation of swamp lands by means of a State road and ditches from the east arm of Grand Traverse bay to Manistee river, in Kalkaska county,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. J. Haynes,

The bill was amended by striking out all after the word "that," in line 1, to and including the word "entitled," in line 2.

On motion of Mr. Climie,

The bill was laid on the table.

Senate bill No. 151, entitled

A bill to amend sections 1662 and 1663 of the compiled laws, being sections 2 and 3 of the act entitled "Of the manufacture and sale of intoxicating drinks as a beverage," approved February 3, 1855,

Being under consideration,

Mr. Brockway moved that there be a call of the House;

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs. Atwood, Fenton, Minne, Doty, Runyan, Smith, and White.

On motion of Mr. Swineford,

The Sergeant-at-Arms was despatched after the absentees.

The Sergeant-at-Arms announced Mr. Fenton at the bar of the House.

On motion of Mr. Bates,

Mr. Fenton was admitted within the bar, rendered an excuse, and took his seat.

Mr. Cameron asked and obtained leave of absence for Mr. Smith indefinitely, on account of sickness.

The Sergeant-at-Arms announced Mr. Minne at the bar of the House.

On motion of Mr. Adam,

Mr. Minne was admitted within the bar, rendered an excuse, and took his seat.

On motion of Mr. Knapp,

All further proceedings under the call were dispensed with.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gibson,	Mr. Norris,
Adams,	Gillam.	J. M. Osborn,
Adsit,	R. J. Grant,	Pattengell,
Andrews,	Gorman,	Phillips,
Barnaby,	Gray,	Pierson,
Brockway,	Green,	Post,
Brown,	H. Haynes,	Priest,
Cameron,	J. Haynes,	Riford,
Chamberlain,	Haywood,	Rood,
Cherry,	N. R. Hill,	Roost,
Childs,	Hoyt,	Sumner,
Clement,	Hughes,	Thayer,
Climie,	Hurlbut,	Tobey,
Copley,	Huston,	Van Scoy,

Mr. Coulter, Crane, Doty, Ferris, Ferry, Garfield, Garrison,	Mr. Kellogg, Knapp, Lamb, E. R. Miller, R. C. Miller, Millington, W.H.C. Mitchell,	Mr. Walker, Walton, Webster, Wells, Williams, Speaker,
	NAYS.	62

Mr. Bates, Cochrane, Congdon, Crofoot, Fenton, C. B. Grant, Greusel, Grosvenor, Haack, Harris,	Mr. Hart, Hazen, S. W. Hill, Holland, Holt, Houseman, Huff, Little, McGonegal, N. L. Miller,	Mr. Minne, P. Mitchell, Montgomery, C. Y. Osburn, Pearl, Roof, Ross, Swineford, White,
		29

Title agreed to.

On motion of Mr. Brockway,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 121, entitled

A bill to legalize the action of the commissioners of highways of the township of Romulus, in the county of Wayne, in the laying out, locating, and establishing certain drain ditches in said township, for the years 1867 and 1868,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows

YEAS.

Mr. Congdon,	Mr. Pearl,	2
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NAYS.

Mr. Adam, Adams, Adsit, Andrews, Bates, Brockway, Brown, Cameron, Chamberlain,	Mr. R. J. Grant, Gray, Green, Grosvenor, Hart, H. Haynes, J. Haynes, N. R. Hill, Holland,	Mr. Minne, P. Mitchell, W.H.C. Mitchell, Montgomery, Norris, C. Y. Osburn, J. M. Osborn, Pattengell, Pierson,
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Mr. Cherry,	Mr. Holt,	Mr. Post,
Childs,	Houseman,	Priest,
Olement,	Hoyt,	Riford,
Climie,	Huff,	Rood,
Cochrane,	Hughes,	Roost,
Copley	Hurlbut,	Sumner,
Coulter,	Huston,	Swineford,
Crane,	Kellogg,	Tobey,
Crofoot.	Knapp,	Van Scoy,
Doty,	Lamb,	Walker,
Fenton,	Little,	Walton,
Ferris,	McGonegal,	Webster,
Ferry,	E. R. Miller,	Wells,
Garrison,	N. L. Miller,	White,
Gibson,	R. C. Miller,	Williams,
Gillam,	Millington,	Speaker,
C. B. Grant,		

76

Senate bill No. 168, entitled

A bill to amend section 19, of chapter 172, of the revised statutes of 1846, being section 6176 of the compiled laws,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Adam moved to amend the bill by striking out in line 5, recited section 19, the word "nine," and inserting the word "eight;" also by striking out the House amendment to line 6, which inserted after the word "chaplain," in line 6, the words "twelve hundred dollars."

Mr. Copley asked for a division of the question.

The question being on striking out, in line 5, the word "nine," and inserting "eight,"

The motion prevailed.

The question then being on striking out the House amendment to line 6, inserting after the word "chaplain," the words "twelve hundred dollars."

The motion did not prevail.

On motion of Mr. Adam,

The bill was recommitted to the committee on State Prison, with instructions to amend the bill by striking out, in line 6,

after the word "chaplain," the words "twelve hundred dollars;"

The committee on State Prison submitted the following report:

The committee on State Prison, to whom was recommitted, with instructions, Senate bill No. 168, entitled

A bill to amend section 19, of chapter 172, of the revised statutes of 1846, being section 6176 of the compiled laws, entitled "Of the State Prison, and the government and discipline thereof,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, amended as instructed, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

HARVEY HAYNES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Adam,

The House concurred in the amendments made to the bill by the committee.

The question being on the passage of the bill,

The bill was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Green,	Mr. Millington,
Adams,	Greusel,	P. Mitchell,
Adsit,	Grosvenor,	W.H.C. Mitchell,
Andrews,	Haack,	Montgomery,
Barnaby,	Hart,	Norris,
Bates,	H. Haynes,	C. Y. Osburn,
Brockway,	J. Haynes,	J. M. Osborn,
Cameron,	Haywood,	Pattengell,
Chamberlain,	Hazen,	Phillips,
Childs,	N. R. Hill,	Pierson,
Clement,	S. W. Hill,	Post,
Climie,	Holland,	Priest,
Cochrane,	Holt,	Riford,

Mr. Copley,	Mr. Houseman,	Mr. Rood,
Coulter,	Hoyt,	Roof,
Crane,	Huff,	Roost,
Crofoot,	Hughes,	Runyan,
Doty,	Hurlbut,	Sumner,
Fenton,	Huston,	Thayer,
Ferris,	Kellogg,	Tobey,
Ferry,	Knapp,	Van Scoy,
Garfield,	Lamb,	Walker,
Garrison,	Little,	Walton,
Gillam,	McGonegal,	Webster,
C. B. Grant,	E. R. Miller,	Wells,
R. J. Grant,	N. L. Miller,	White,
Gorman,	R. C. Miller,	Speaker,
Gray,		

82

NAYS.

Mr. Brown,	Mr. Gibson,	Mr. Ross,
Cherry,	Minne,	Williams,
Congdon,		

7

Title agreed to.

On motion of Mr. Chamberlain,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 189, entitled

A bill to amend sections 4 and 5, of an act entitled "An act for the appropriation of swamp lands to the counties of Houghton and Keweenaw, for the construction of the Mineral Range State road," approved March 20th, 1863, as amended by act No. 65, of the session laws of 1865,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Andrews,	Mr. Haack,	Mr. Lamb,
Barnaby,	Harris,	Little,
Cameron,	Hart,	McGonegal,
Climie,	J. Haynes,	R. C. Miller,
Cochrane,	Haywood,	W.H.C. Mitchell,
Copley,	Hazen,	C. Y. Osburn,
Crofoot,	S. W. Hill,	Pattengell,
Doty,	Holland,	Phillips,

Mr. Fenton, Garrison, C. B. Grant, R. J. Grant, Grensel, Grosvenor,	Mr. Holt, Houseman, Hoyt, Hughes, Hurlbut, Huston,	Mr. Roof, Sumner, Thayer, Webster, Wells, Speaker,
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42

NAYS.

Mr. Adam, Adams, Brockway, Brown, Cherry, Clement, Congdon, Coulter, Crane, Ferris, Ferry, Garfield, Gibson,	Mr. Gillam, Gorman, Gray, Green, N. R. Hill, Kellogg, Knapp, E. R. Miller, N. L. Miller, Millington, Minne, P. Mitchell, Norris,	Mr. J. M. Osborn, Pierson, Post, Priest, Roost, Ross, Runyan, Tobey, Walker, Walton, White, Williams,
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38

Mr. Gillam moved that the vote by which the House refused to pass the bill be reconsidered ;

Which motion prevailed.

On motion of Mr. Gillam,

The bill was laid on the table.

Senate bill No. 126, entitled

A bill to amend section 7, of an act entitled "An act to authorize the formation of corporations for literary and scientific purposes," approved March 21, 1865, as amended by an act amendatory thereof, approved March 4, 1869,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam, Adams, Adsit, Andrews, Barnaby, Bates, Cameron, Cherry,	Mr. Grosvenor, Haack, Harris, Hart, J. Haynes, Haywood, N. R. Hill, S. W. Hill,	Mr. Montgomery, Norris, C. Y. Osburn, J. M. Osborn, Pattengell, Pearl, Phillips, Pierson,
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Mr. Climie,	Mr. Holland,	Mr. Post,	
Cochrane,	Holt,	Priest,	
Copley,	Houseman,	Rood,	
Coulter,	Hoyt,	Roof,	
Crane,	Huff,	Roost,	
Crofoot,	Hughes,	Ross,	
Doty,	Hurlbut,	Runyan,	
Ferris,	Knapp,	Sumner,	
Ferry,	Lamb,	Thayer,	
Garfield,	Little,	Tobey,	
Gibson,	McGonegal,	Van Scoy,	
Gillam,	E. R. Miller,	Walker,	
C. B. Grant,	N. L. Miller,	Walton,	
R. J. Grant,	R. C. Miller,	Webster,	
Gorman,	Millington,	Wells,	
Gray,	Minne,	White,	
Green,	P. Mitchell,	Williams,	
Greusel,	W.H.C.Mitchell,	Speaker,	78
	NAYS.		0

Title agreed to.

Senate bill No. 74, entitled

A bill to add certain sections to the general railroad law,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. P. Mitchell,
Adams,	Gorman,	W.H.C.Mitchell,
Adsit,	Gray,	Montgomery,
Andrews,	Green,	Norris,
Barnaby,	Greusel,	C. Y. Osburn,
Brockway,	Grosvenor,	Pattengall,
Brown,	Haack,	Pearl,
Cameron,	Harris,	Pierson,
Cherry,	Hart,	Priest,
Clement,	Haywood,	Riford,
Climie,	Hazen,	Rood,
Cochrane,	N. R. Hill,	Roost,
Congdon,	Houseman,	Ross,
Copley,	Hoyt,	Runyan,
Coulter,	Huff,	Sumner,
Crane,	Hughes,	Thayer,
Crofoot,	Hurlbut,	Tobey,
Doty,	Huston,	Van Scoy,

Mr. Ferris, Ferry, Garfield, Garrison, Gibson, Gillam, C. B. Grant,	Mr. Knapp, Lamb, Little, McGonegal, N. L. Miller, Millington, Minne,	Mr. Walton, Webster, Wells, White, Williams, Speaker,
	NAYS.	74

Mr. J. Haynes, 1
Title agreed to.

On motion of Mr. Adam,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 109, entitled

A bill to amend sections 5 and 15, of "An act to authorize the formation of corporations for the purpose of improving the navigation of rivers," approved April 5th, 1869,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam, Adams, Adsit, Andrews, Brown, Cameron, Chamberlain, Cherry, Clement, Climie, Congdon, Copley, Coulter, Crane, Crofoot, Doty, Fenton, Ferris, Garfield, Garrison, Gibson, Gillam,	Mr. Green, Greusel, Grosvenor, Haack, Harris, Hart, J. Haynes, Haywood, Hazen, N. R. Hill, S. W. Hill, Holland, Holt, Houseman, Huff, Hughes, Hurlbut, Huston, Kellogg, Knapp, Lamb, Little,	Mr. P. Mitchell, W.H.C. Mitchell, Montgomery, Norris, C. Y. Osburn, Pattengell. Pearl, Pierson, Post, Priest, Riford, Rood, Roost, Ross, Sumner, Thayer, Tobey, Van Scoy, Walker, Walton, Webster, Wells,
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Mr. C. B. Grant,
R. J. Grant,
Gorman,
Gray,

Mr. McGonegal,
N. L. Miller,
Millington,

Mr. White,
Williams,
Speaker,

76
0

NAYS.

The question being on agreeing to the title,

On motion of Mr. Montgomery,

The title was amended by inserting, after the word "of," in line 1, the words "act number 149, of the session laws of 1869, entitled."

The title, as amended, was then agreed to

On motion of Mr. Huston,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 172, entitled

A bill to amend section 1813, being section 15, of chapter 63, of the compiled laws, as amended by an act entitled "An act to amend section 1813, being section 15, of chapter 63, of the compiled laws," approved February 5th, 1859,

Being under consideration,

On motion of Mr. Adam,

The bill was laid on the table.

Senate bill No. 153, entitled

A bill to provide for the re-assessment, collection, and return of certain ditch taxes in the township of Romulus, in the county of Wayne,

Being under consideration,

On motion of Mr. Brown,

The bill was laid on the table.

Senate bill No. 178, entitled

A bill to amend section 1, of an act entitled "An act relative to proof of demands in suit," approved March 26, 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,

Mr. Gillam,
C. B. Grant,

Mr. Huston,
Kellogg,

Mr. Andrews,	Mr. R. J. Grant,	Mr. Knapp,
Barnaby,	Gorman,	Millington,
Brockway,	Gray,	P. Mitchell,
Brown,	Green,	W.H.C. Mitchell,
Cameron,	Greusel,	Norris,
Chamberlain,	Grosvenor,	C. Y. Osburn,
Cherry,	Haack,	J. M. Osborn,
Climie,	Harris,	Priest,
Cochrane,	Hart,	Riford,
Congdon,	J. Haynes,	Roof,
Coulter,	Haywood,	Roost,
Crane,	Hazen,	Tobey,
Crofoot,	N. R. Hill,	Van Scoy,
Doty,	S. W. Hill,	Walker,
Fenton,	Holt,	Walton,
Ferris,	Houseman,	Webster,
Garrison,	Huff,	Williams,
Gibson,	Hurlbut,	Speaker,

60

NAYS.

Mr. Adsit,	Mr. E. R. Miller,	Mr. Rood,
Copley,	N. L. Miller,	Ross,
Garfield,	Minnie,	Runyan,
Hoyt,	Montgomery,	Sumner,
Hughes,	Pattengell,	Thayer,
Lamb,	Pearl,	Wells,
Little,	Pierson,	White,
McGonegal,		

22

Title agreed to.

Senate bill No. 171, entitled

A bill to amend section 4, chapter 47, of the revised statutes of A. D. 1846, being section 1606 of the compiled laws, entitled "Of lost goods and stray beasts ;"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Green,	Mr. P. Mitchell,
Adams,	Greusel,	W.H.C. Mitchell,
Adsit,	Grosvenor,	C. Y. Osburn,
Barnaby,	Haack,	J. M. Osborn,
Brown,	Harris,	Pattengell,
Cameron,	Hart,	Phillips,
Chamberlain,	J. Haynes,	Pierson,
Climie,	Haywood,	Priest,

Mr. Cochrane,	Mr. Hazen,	Mr. Riford,	
Congdon,	N. R. Hill,	Rood,	
Copley,	S. W. Hill,	Roof,	
Coulter,	Houseman,	Roost,	
Crane,	Hoyt,	Ross,	
Crofoot,	Huff,	Sumner,	
Doty,	Hughes,	Thayer,	
Fenton,	Kellogg,	Tobey,	
Ferris,	Knapp,	Van Scoy,	
Garfield,	Lamb,	Walker,	
Garrison,	Little,	Walton,	
Gibson,	McGonegal,	Wells,	
Gillam,	E. R. Miller,	White,	
C. B. Grant,	N. L. Miller,	Williams,	
Gorman,	Millington,	Speaker,	
Gray,	Minne,		71
	NAYS.		0

Title agreed to.

Senate bill No. 162, entitled

A bill to establish a State public school for dependant and neglected children,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. E. R. Miller,
Adams,	Gray,	Millington,
Adsit,	Green,	P. Mitchell,
Andrews,	Greusel,	W.H.C. Mitchell,
Barnaby,	Grosvenor,	Montgomery,
Brockway,	Haack,	Norris,
Brown,	Harris,	J. M. Osborn,
Cameron,	Hart,	Pearl,
Chamberlain,	J. Haynes,	Phillips,
Cherry,	Haywood,	Pierson,
Climie,	Hazen,	Priest,
Cochrane,	N. R. Hill,	Riford,
Congdon,	S. W. Hill,	Rood,
Copley,	Holland,	Roost,
Coulter,	Houseman,	Runyan,
Crane,	Hoyt,	Sumner,
Crofoot,	Huff,	Thayer,
Doty,	Hughes,	Tobey,
Fenton,	Hurlbut,	Van Scoy,

Mr. Ferris, Ferry, Garrison, Gibson, Gillam, C. B. Grant,	Mr. Huston, Knapp, Lamb, Little, McGonegal,	Mr. Walker, Walton, Wells, Williams, Speaker,	73
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NAYS.

Mr. Clement, Garfield, Gorman, Kellogg,	Mr. Minne, C. Y. Osburn, Pattengell,	Mr. Roof, Ross, White,	10
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Title agreed to.

Senate bill No. 173, entitled

A bill to amend sections 21 and 22, of an act entitled "An act for the incorporation of insurance companies, and defining their powers and duties," approved February 15, 1859, as amended by the several acts amendatory thereof,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam, Adams, Adsit, Andrews, Brown, Cameron, Chamberlain, Cherry, Childs, Clement, Climie, Cochrane, Congdon, Copley, Coulter, Crane, Crofoot, Doty, Fenton, Ferry, Garfield, Garrison,	Mr. Gray, Green, Greusel, Grosvenor, Haack, Harris, Hart, J. Haynes, Haywood, Hazen, N. R. Hill, Houseman, Huff, Hughes, Hurlbut, Huston, Kellogg, Knapp, Lamb, Little, McGonegal, E. R. Miller,	Mr. W.H.C. Mitchell, Montgomery, Norris, C. Y. Osburn, J. M. Osborn, Pattengell, Pearl, Phillips, Pierson, Priest, Riford, Rood, Roof, Roost, Ross, Sumner, Tobey, Van Scoy, Walker, Walton, Webster, Wells,
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Mr. Gibson,
Gillam,
C. B. Grant,
R. J. Grant,

Mr.* Millington,
Minne,
P. Mitchell,

Mr. White,
Williams,
Speaker,

76

NAYS.

Mr. Ferris,

1

Title agreed to.

On motion of Mr. Climie,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 9, entitled

A bill regulating the fees of judges of probate, clerks of courts, justices of the peace, and notaries public, in certain cases,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Adam moved to amend the bill, by inserting after the word "may," in line 1, section 3, the word "knowingly;"

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Adsit,
Andrews,
Barnaby,
Brockway,
Brown,
Cameron,
Chamberlain,
Cherry,
Childs,
Clement,
Cochrane,
Congdon,
Copley,
Coulter,
Crane,
Crofoot,

Mr. Gibson,
C. B. Grant,
R. J. Grant,
Gorman,
Gray,
Green,
Greusel,
Grosvenor,
Hart,
J. Haynes,
Haywood,
Hazen,
N. R. Hill,
Holland,
Hoyt,
Huff,
Hughes,
Hurlbut,

Mr. P. Mitchell,
W.H.C. Mitchell,
Montgomery,
Norris,
C. Y. Osburn,
J. M. Osborn,
Phillips,
Pierson,
Priest,
Rood,
Roof,
Roost,
Ross,
Sumner,
Tobey,
Van Scoy,
Walker,
Walton,

Mr. Doty, Fenton, Ferris, Ferry, Garfield, Garrison,	Mr. Kellogg, Lamb, Little, McGonegal, E. R. Miller, Minne,	Mr. Webster, Wells, White, Williams, Speaker,	71
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NAYS.

Mr. Holt, Houseman,	Mr. Huston, Riford,	Mr. Thayer,	5
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The question being on agreeing to the title,

On motion of Mr. Hoyt,

The title was amended by inserting after the word "public," the words "or other persons authorized to administer oaths."

The title, as amended, was then agreed to.

Senate joint resolution No. 15, entitled

Joint resolution proposing an amendment to the constitution of the State of Michigan by adding a new section to article 19-A, "Of railroads," to stand as section three (3) of said article,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Roof moved to amend section 3 of the joint resolution by adding thereto the following: "*And provided further, That no county, township, or other municipality, shall be required to pay any such bonds unless the question of payment shall be first submitted to the electors of such county, township, or other municipality, at an election to be appointed for that purpose, and a majority of the votes cast at such election shall be in favor of such payment.*"

Mr. Ferris moved to amend the amendment by inserting before the word "electors," the word "freeholding;"

Which motion did not prevail.

The amendment of Mr. Roof was not agreed to.

Mr. C. B. Grant moved that there be a call of the House;

Which motion did not prevail.

Mr. Greusel moved that the House adjourn;

Which motion did not prevail.

Mr. E. R. Miller moved to reconsider the vote by which the House refused to adopt the amendment proposed by Mr. Roof; Which motion prevailed.

On motion of Mr. Copley,

The vote by which the House refused to agree to the amendment offered by Mr. Ferris was reconsidered.

The question being on agreeing to the amendment offered by Mr. Ferris to the amendment offered by Mr. Roof,

Mr. Millington moved to amend the same by striking out the word "freeholding" and inserting the words "property-holding tax-paying" in lieu thereof;

Which was accepted.

The amendment was then agreed to.

The question being on agreeing to the amendment offered by Mr. Roof, as amended,

Mr. Copley demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, two-thirds of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. N. L. Miller,
Adams,	C. B. Grant,	Millington,
Adsit,	Gorman,	Minne,
Andrews,	Gray,	Montgomery,
Atwood,	Green,	Norris,
Barnaby,	Grosvenor,	C. Y. Osburn,
Chamberlain,	Haack,	J. M. Osborn,
Childs,	Hart,	Priest,
Clement,	H. Haynes,	Riford,
Climie,	Haywood,	Rood,
Cochrane,	Hazen,	Roof,
Congdon,	Hoyt,	Roost,
Copley,	Huff,	Sumner,
Coulter	Hurlbut,	Thayer,
Crane,	Kellogg,	Van Scoy,
Doty,	Knapp,	Walker,
Ferris,	Lamb,	Walton,
Ferry,	Little,	Webster,
Garrison,	McGonegal,	Williams,
Gibson,	E. R. Miller,	Speaker,

NAYS.

Mr. Brockway,	Mr. J. Haynes,	Mr. Pearl,
Brown,	N. R. Hill,	Phillips,
Cameron,	Holland,	Pierson,
Cherry,	Houseman,	Post,
Crofoot,	Hughes,	Ross,
Fenton,	Huston,	Runyan,
Garfield,	P. Mitchell,	Tobey,
R. J. Grant,	W.H.C. Mitchell,	Wells,
Greusel,	Pattengell,	White,
Harris,		

28

Mr. Grosvenor moved to amend the joint resolution by striking out, in line 2, section 2, the word "and," between "issue" and "negotiated," and by inserting after the word "negotiated" the words "or earned;"

Which motion did not prevail.

On motion of Mr. Hoyt,

The joint resolution was recommitted to the committee on judiciary, with instructions to amend the joint resolution in accordance with the amendment offered by Mr. Roof, as amended.

Mr. J. Haynes moved that the House adjourn;

Which motion did not prevail.

On motion of Mr. Crofoot,

The House took a recess until 7:30 o'clock this evening.

 EVENING SESSION.

7:30 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called; quorum present.

MESSAGES FROM THE SENATE.

The Speaker, by unanimous consent, announced the following:

SENATE CHAMBER, }
Lansing, April 12, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

Senate bill No. 61, entitled

A bill to lay out and establish a State road in the counties of Midland and Gladwin, and to appropriate certain non-resident highway taxes for the construction thereof,

In compliance with the request of the House.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The question being on the motion to adhere to the amendments made to the bill by the Senate, the motion did not prevail, by yeas and nays, as follows:

YEAS.

0

NAYS.

Mr. Adam,
Adsit,
Andrews,
Atwood,
Barnaby,
Bates,
Brown,
Cameron,
Chamberlain,
Cherry,
Childs,
Climie,
Cochrane,
Copley,
Coulter,
Crane,
Crofoot,
Fenton,
Ferris,
Ferry,
Garfield,
Garrison,
Gibson,
C. B. Grant,
R. J. Grant,
Gorman,

Mr. Greusel,
Grosvenor,
Haack,
Harris,
Hart,
H. Haynes,
J. Haynes,
Haywood,
Hazen,
N. R. Hill,
S. W. Hill,
Holland,
Houseman,
Hoyt,
Huff,
Hughes,
Huston,
Kellogg,
Knapp,
Lamb,
Little,
McGonegal,
E. R. Miller,
N. L. Miller,
R. C. Miller,

Mr. Millington,
Minne,
P. Mitchell,
W.H.C. Mitchell,
Norris,
C. Y. Osburn,
J. M. Osborn,
Phillips,
Pierson,
Post,
Priest,
Riford,
Rood,
Roost,
Ross,
Sumner,
Swineford,
Thayer,
Tobey,
Van Scoy,
Walker,
Walton,
Wells,
Williams,
Speaker,

76

Mr. J. Haynes moved that the House insist on its amendments:

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Greusel,	Mr. P. Mitchell,
Adams,	Grosvenor,	W.H.C. Mitchell,
Andrews,	Haack,	Montgomery,
Atwood,	Harris,	Norris,
Brockway,	Hart,	Pattengell,
Brown,	H. Haynes,	Pearl,
Cameron,	J. Haynes,	Pierson,
Chamberlain,	Haywood,	Post,
Cherry,	Hazen,	Priest,
Clement,	N. R. Hill,	Riford,
Congdon,	S. W. Hill,	Roof,
Crane,	Holland,	Roost,
Crofoot,	Holt,	Ross,
Doty,	Houseman,	Runyan,
Edwards,	Hughes,	Sumner,
Fenton,	Hurlbut,	Swineford,
Ferris,	Huston,	Walker,
Ferry,	Kellogg,	Walton,
Garfield,	Knapp,	Webster,
Gibson,	Lamb,	Wells,
R. J. Grant,	McGonegal,	White, ..
Gorman,	N. L. Miller,	Williams,
Gray,	R. C. Miller,	Speaker,
Green,		

70

NAYS.

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Mr. Holt, by unanimous consent, offered the following:

Resolved (the Senate concurring), That the Secretary of the Senate and the Clerk of the House of Representatives be and they are hereby authorized and requested to compile and prepare for publication, and make indexes, and superintend the publication of the journals and documents of the present Legislature; and when completed and certified to by the Secretary of State, they shall each be entitled to and receive for such services, the sum of five hundred dollars.

Laid on the table for one day under the rules.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 12, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill :

Senate manuscript bill entitled

A bill to authorize the establishment of a house of correction in the county of Jackson,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committees on State Prison and Reform School jointly.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, April 12, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill :

House bill No. 290, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Detroit, approved February 5th, 1857, as amended by the several acts amendatory thereof," and to add several sections thereto, and to repeal several sections thereof,

Which the Senate amended by inserting in section 46, line 17, page 15, after the word "same," the following provisos: "Provided, That nothing herein contained shall be construed to authorize the inspecting, measuring, weighing, or gauging of any article herein enumerated, which is to be shipped beyond the limits of this State, except at the request of the owner thereof, or of the agent having charge of the same: And provided further, that the common council shall not have

power to require the measuring of wood or the weighing of hay, except at the request of the seller or purchaser thereof, or the agent of either of them ;

In which amendment the House refused to concur,

And to inform the House that the Senate insists on its amendment.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Greusel moved that a committee of conference be appointed, consisting of five on the part of the House, and three on the part of the Senate, on the disagreement of the two Houses on said bill ;

Which motion prevailed.

The Speaker appointed as such committee on the part of the House, Messrs. Greusel, McGonegal, Gibson, Hoyt and Cochrane.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, April 12, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following joint resolution :

Senate joint resolution No. 19, entitled

Joint resolution for the payment of printing done by James O'Donnell,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The joint resolution was read a first and second time by its title, and referred to the committee on printing.

The committee on judiciary submitted the following report :

The committee on judiciary, to whom was referred Senate joint resolution No. 15, being

Joint resolution proposing an amendment to the constitution of the State of Michigan, by adding a new section to article 19—a of railroads, to stand as section three (3) of said article,

With instructions, respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, amended as instructed, recommending that the amendment be concurred in, and that the joint resolution, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rood,

The House concurred in the amendment made to the joint resolution by the committee.

The question being on the passage of the joint resolution,

The joint resolution was then not passed, two-thirds of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Grosvenor,	Mr. W.H.C. Mitchell,
Adams,	Haack,	Montgomery,
Andrews,	Hart,	Norris,
Bates,	H. Haynes,	C. Y. Osburn,
Brown,	Haywood,	J. M. Osborn,
Cameron,	Hazen,	Pattengell,
Clement,	N. R. Hill,	Pierson,
Climie,	Holt,	Post,
Cochrane,	Hoyt,	Priest,
Copley,	Huff,	Rood,
Crane,	Hughea,	Roof,
Fenton,	Hurlbut,	Roost,
Ferris,	Knapp,	Ross,
Garfield,	Lamb,	Sumner,
Garrison,	Little,	Walker,
Gibson,	McGonegal,	Walton,
C. B. Grant,	E. R. Miller,	Webster,
Gray,	Minne,	Wells,
Green,	P. Mitchell,	Speaker,
Greusel,		

NAYS.

Mr. Adsit,	Mr. R. J. Grant,	Mr. Millington,
Brockway,	Gorman,	Pearl,
Chamberlain,	Harris,	Phillips,
Cherry,	J. Haynes,	Riford,
Congdon,	S. W. Hill,	Runyan,
Coulter,	Holland,	Swineford,
Crofoot,	Houseman,	Thayer,
Doty,	Huston,	Van Scoy,
Edwards,	Kellogg,	White,
Ferry,	N. L. Miller,	Williams,
Gillam,	R. C. Miller,	32

Mr. Houseman moved to reconsider the vote by which the joint resolution was not passed.

Mr. Doty moved to lay the motion to reconsider on the table.

Mr. Fenton called for the yeas and nays.

The motion did not prevail, by yeas and nays, as follows :

YEAS.

Mr. Adsit,	Mr. Ferris,	Mr. Riford,
Chamberlain,	Gillam,	Sumner,
Clement,	Gorman,	Thayer,
Congdon,	Huff,	Van Scoy,
Coulter,	Kellogg,	Walton,
Crane,	R. C. Miller,	White,
Doty,	Millington,	Williams,
Edwards,	Norris,	23

NAYS.

Mr. Adam,	Mr. Grosvenor,	Mr. N. L. Miller,
Adams,	Haack,	Minne,
Andrews,	Harris,	P. Mitchell,
Bates,	Hart,	W.H.C. Mitchell,
Brockway,	H. Haynes,	Montgomery,
Brown,	J. Haynes,	C. Y. Osburn,
Cameron,	Haywood,	J. M. Osborn,
Cherry,	Hazen,	Pattengell,
Cochrane,	N. R. Hill,	Pearl,
Copley,	S. W. Hill,	Phillips,
Crofoot,	Holland,	Pierson,
Fenton,	Holt,	Post,
Ferry,	Houseman,	Priest,
Garfield,	Hoyt,	Rood,
Garrison,	Hughes,	Roof,
Gibson,	Huston,	Roost,

Mr. C. B. Grant,	Mr. Knapp,	Mr. Swineford,	
R. J. Grant,	Lamb,	Walker,	
Gray,	Little,	Webster,	
Green,	McGonegal,	Wells,	
Greusel,	E. R. Miller,	Speaker,	63

The motion to reconsider then prevailed.

Mr. J. Haynes moved that the joint resolution be recommended to the committee on judiciary ;

Which motion did not prevail.

On motion of Mr. Hart,

The joint resolution was referred to the committee on State affairs.

The House resumed the order of

THIRD READING OF BILLS.

Senate bill No. 115, entitled

A bill to amend sections 5318 and 5323 of the compiled laws, being sections one and six, of chapter 162, entitled "Of writs of mandamus and prohibition,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Green,	Mr. P. Mitchell,
Adsit,	Greusel,	W.H.C. Mitchell,
Andrews,	Grosvenor,	Montgomery,
Bates,	Haack,	Norris,
Brockway,	Harris,	J. M. Osborn,
Cameron,	Hart,	Pattengell,
Chamberlain,	H. Haynes,	Phillips,
Cherry,	J. Haynes,	Pierson,
Climie,	Haywood,	Post,
Cochrane,	Hazen,	Priest,
Congdon,	N. R. Hill,	Riford,
Copley,	S. W. Hill,	Rood,
Crane,	Holland,	Roost,
Crofoot,	Houseman,	Ross,
Edwards,	Hoyt,	Sumner,
Fenton,	Huff,	Swineford,
Ferris,	Hughes,	Thayer,
Ferry,	Hurlbut,	Van Sooy,
Garfield,	Huston,	Walker,

Mr. Garrison,	Mr. Kellogg,	Mr. Walton,	
Gillam,	Knapp,	Webster,	
C. B. Grant,	Lamb,	Wells,	
R. J. Grant,	R. C. Miller,	Williams,	
Gorman,	Minne,	Speaker	
Gray,			73
	NAYS.		0

Title agreed to.

Senate bill No. 206, entitled

A bill to amend section 10, of chapter 105, of the compiled laws, relative to filing of chattel mortgages,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Atwood moved to amend the bill by inserting the words "or city recorder of cities having no officer known as city clerk" between the words "city" and "where," in line 6 of section 1; and by inserting the same words between the words "city" and "where," in line 8 of same section;

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. N. L. Miller,
Adams,	Gorman,	R. C. Miller,
Adsit,	Gray,	Millington,
Andrews,	Green,	Minne,
Atwood,	Greusel,	P. Mitchell,
Bates,	Grosvenor,	W.H.C. Mitchell,
Brockway,	Haack,	Montgomery,
Brown,	Harris,	Norris,
Cameron,	Hart,	J. M. Osborn,
Chamberlain,	H. Haynes,	Pattengell,
Cherry,	J. Haynes,	Pearl,
Clement,	Hazen,	Phillips,
Climie,	N. R. Hill,	Pierson,
Cochrane,	S. W. Hill,	Post,
Congdon,	Holland,	Priest,
Coulter,	Holt,	Rood,
Crane,	Houseman,	Roof,
Edwards,	Hoyt,	Roost,

Mr. Fenton, Ferris, Ferry, Garfield, Garrison, Gibson, Gillam, C. B. Grant,	Mr. Huff, Hurlbut, Huston, Kellogg, Knapp, Lamb, Little, E. R. Miller.	Mr. Ross, Sumner, Van Scoy, Walker, Walton, Wells, Williams, Speaker, 78
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NAYS.

Mr. Doty, Hughes,	Mr. Riford,	Mr. White, 4
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Title agreed to.

Senate bill No. 207, entitled

A bill to detach the county of Emmet from the eleventh judicial circuit, and attach the same to the thirteenth judicial circuit,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam, Adams, Andrews, Atwood, Brockway, Brown, Cameron, Chamberlain, Cherry, Clement, Climie, Congdon, Copley, Crane, Doty, Edwards, Ferris, Ferry, Garfield, Garrison, Gillam, C. B. Grant, R. J. Grant, Gray,	Mr. Green, Greusel, Grosvenor, Haack, Harris, Hart, H. Haynes, J. Haynes, Hazen, N. R. Hill, S. W. Hill, Holland, Houseman, Huff, Hughes, Hurlbut, Huston, Knapp, Lamb, Little, E. R. Miller, N. L. Miller, R. C. Miller,	Mr. Millington, Minne, P. Mitchell, W.H.C. Mitchell, Montgomery, Norris, J. M. Osborn, Pattengell, Phillips, Pierson, Post, Priest, Riford, Rood, Roof, Ross, Runyan, Van Scoy, Walker, Webster, Wells, Williams, Speaker,
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NAYS.

Mr. Adsit,	Mr. Gorman,	Mr. Roost,	
Cochrane,	Hoyt,	Sumner,	
Fenton,	Kellogg,	Walton,	
Gibson,	McGonegal,	White,	12

Title agreed to.

On motion of Mr. W. H. C. Mitchell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 64, entitled

A bill to regulate the transportation of freight and passengers, and the management of railroads of this State not incorporated under an act entitled "An act to provide for the incorporation of railroad companies," as approved February 12th, 1855,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Huston,

The bill was recommitted to the committee on internal improvements.

Senate bill No. 190, entitled

A bill to enlarge the corporate limits of the village of Buchanan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Green,	Mr. Montgomery,
Adams,	Greusel,	Norris,
Adsit,	Grosvenor,	J. M. Osborn,
Andrews,	Haack,	Pattengell,
Atwood	Harris,	Pearl,
Bates,	Hart,	Phillips,
Brockway,	H. Haynes,	Post,
Brown,	J. Haynes,	Priest,
Chamberlain,	Hazen,	Riford,
Cherry,	N. R. Hill,	Rood,
Clement,	S. W. Hill,	Roof,
Climie,	Holland,	Roost,
Cochrane.	Holt,	Ross,

Mr. Congdon,	Mr. Houseman,	Mr. Runyan,	
Crane,	Hoyt,	Sumner,	
Crofoot,	Huff,	Swineford,	
Doty,	Hughes,	Thayer,	
Edwards,	Hurlbut,	Van Scoy,	
Ferris,	Kellogg,	Walker,	
Garfield,	Lamb,	Walton,	
Garrison,	Little,	Webster,	
Gibson,	McGonegal,	Wells,	
Gillam,	E. R. Miller,	White,	
C. B. Grant,	R. C. Miller,	Williams,	
R. J. Grant,	Minne,	Speaker,	
Gray,	W.H.C. Mitchell,		77
	NAYS.		0

Title agreed to.

On motion of Mr. Chamberlain,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 217, entitled

A bill to attach certain territory, to wit: Big Summer Island, St. Martin's Island, Gull Island, and Poverty Island, to Delta county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. R. C. Miller,
Adams,	C. B. Grant,	Millington,
Adsit,	R. J. Grant,	Minne,
Andrews,	Gray,	W.H.C. Mitchell,
Atwood,	Green,	Montgomery,
Bates,	Greusel,	Norris,
Brockway,	Grosvenor,	J. M. Osborn,
Brown,	Haack,	Pearl,
Chamberlain,	Harris,	Phillips,
Cherry,	Hart,	Pierson,
Clement,	H. Haynes,	Post,
Climie,	J. Haynes,	Priest,
Cochrane,	Hazen,	Roof,
Congdon,	N. R. Hill,	Roost,
Copley,	S. W. Hill,	Ross,
Crane,	Holland,	Sumner,
Crofoot,	Holt,	Swineford,
Doty,	Houseman,	Van Scoy,

Mr. Edwards,	Mr. Huff,	Mr. Walker.	
Fenton,	Hurlbut,	Walton,	
Ferris,	Kellogg,	Webster.	
Ferry,	Knapp,	Wells,	
Garfield,	Little,	White,	
Garrison.	McGonegal,	Williams.	
Gibson,	E. R. Miller,	Speaker,	75
	NAYS.		0

Title agreed to.

On motion of Mr. Swineford,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 218, entitled

A bill appropriating one section of State swamp land to each mile of the Green Bay and Bay De Noquet State road, in Menominee county, to secure the completion of the same.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams.	Mr. Gray,	Mr. R. C. Miller.
Adsit,	Grensel,	W.H.C. Mitchell.
Andrews,	Grosvenor.	Montgomery.
Atwood,	Haack,	Norris,
Bates,	Harris,	C. Y. Osburn.
Brockway,	Hart,	J. M. Osborn.
Brown,	J. Haynes.	Pattengell.
Cameron,	Hazen,	Phillips.
Clement.	S. W. Hill.	Post,
Climie,	Holland,	Rood,
Cochrane,	Holt,	Roof,
Congdon.	Houseman.	Roost,
Copley,	Hoyt,	Runyan.
Crofoot,	Huff,	Sumner,
Doty,	Hughes,	Swineford.
Edwards,	Hurlbut.	Van Scoy,
Fenton,	Huston,	Walton.
Garrison.	Lamb,	Webster.
Gibson.	Little,	Wells.
Gillam,	McGonegal.	Speaker.
C. B. Grant.	E. R. Miller.	

62

NAYS.

Mr. Adam, Chamberlain. Cherry, Coulter. Ferris, Ferry, Garfield, R. J. Grant.	Mr. Gorman, Green, H. Haynes, N. R. Hill, Kellogg, Knapp, N. L. Miller. Millington,	Mr. Pearl, Pierson, Priest, Riford, Ross, Walker, White, Williams. 24
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Title agreed to.

On motion of Mr. Swineford,

By a vote of two-thirds of all the members elect. the bill was ordered to take immediate effect.

Senate bill No. 96, entitled

A bill to revise the laws for the incorporation of railroad companies,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Holt moved to amend the bill by striking out the word "June," in the House amendment to section 37. and inserting in lieu thereof the word "April ;"

Which was agreed to.

Mr. Adams moved to further amend the bill by adding at the end of section 26, the words "And in case it shall become necessary for the protection of the passengers on any railroad car from the violent, abusive, profane, or indecent language or conduct of any passenger, the conductor of such train is hereby authorized and empowered to arrest such passenger and remove him to the baggage car, or some safe and secure place on such train; until its arrival at some usual stopping place, where he may be put off from the train, and put into the custody of some proper officer for prosecution, if necessary. For this purpose, railroad conductors, while in charge of trains. are hereby invested with the powers of sheriffs and constables;"

Which was agreed to.

Mr. Riford moved to further amend the bill by striking out,

in line 19, of section 16, the word "three," and inserting in lieu thereof the word "two;"

Which was agreed to.

Mr. Riford moved to further amend the bill by inserting after the word "proceeding," in line 34, of section 16, the words "And in case the judge shall not attend, the jury shall proceed to determine the amount of damages to be awarded, and shall have all the powers hereby conferred upon commissioners; and a report, signed by the jury, or a majority of them, where the judge is or is not in attendance, shall be valid and legal;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Grelselt,	Mr. E. R. Miller,
Adams,	Grosvenor,	N. L. Miller,
Andrews.	Haack,	R. C. Miller,
Atwood.	Harris,	Millington,
Bates,	Hart,	Montgomery,
Brockway,	H. Haynes,	Norris,
Brown,	J. Haynes,	C. Y. Osburn,
Cameron.	N. R. Hill,	J. M. Osborn,
Cherry,	S. W. Hill,	Phillips,
Climie,	Holland,	Pierson,
Cochrane.	Holt,	Post,
Crane,	Houseman,	Priest,
Crofoot.	Hoyt,	Roof,
Doty,	Huff,	Ross,
Fenton,	Hughes,	Runyan,
Garfield.	Hurlbut,	Swineford,
Garrison.	Huston.	Walker,
Gibson,	Kellogg,	Walton,
C. B. Grant,	Lamb,	Webster,
R. J. Grant,	Little,	Wells
Green,	McGonegal,	Speaker,

63

NAYS.

Mr. Adsit,	Mr. Ferry,	Mr. Pearl,
Chamberlain,	Gillam,	Riford,
Clement,	Gorman,	Rood,

Mr. Congdon, Copley, Coulter, Edwards, Ferris,	Mr. Gray, Hazen, Knapp, W.H.C. Mitchell, Pattengell,	Mr. Roost, Sumner, Van Scoy. White, Williams.	24
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Title agreed to.

On motion of Mr. Hurlbut,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

MOTIONS AND RESOLUTIONS.

Mr. Swineford moved to take from the table House bill No 317, entitled

A bill to provide for laying out and establishing a State road from the New England Mine to the Michigan Furnace, in the county of Marquette, and making an appropriation of State swamp lands to aid in the construction thereof;

Which motion did not prevail.

Mr. C. B. Grant moved to take from the table Senate bill No. 172, entitled

A bill to amend section 15, of chapter 63, of the compiled laws, as amended by an act entitled "An act to amend section 1813, being section 15, of chapter 63, of the compiled laws." approved February 5, 1859;

Which motion did not prevail.

Mr. Holland moved to take from the table Senate bill No. 189, being

A bill to amend sections 4 and 5, of an act entitled "An act for the appropriation of swamp lands to the counties of Houghton and Keweenaw, for the construction of the mineral Range State road," approved March 20th, 1863, as amended by act No. 65, of the session laws of 1865;

Which motion prevailed.

The question being on the passage of the bill,

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Grosvenor,	Mr. W.H.C. Mitchell,
Adams.	Haack,	Montgomery,
Adsit,	Harris,	Norris,
Andrews.	Hart,	C. Y. Osburn,
Atwood.	H. Haynes.	J. M. Osborn,
Bates,	J. Haynes,	Pattengell,
Brockway,	Hazen,	Phillips.
Chamberlain.	N. R. Hill.	Pierson,
Climie,	Holland,	Post,
Cochrane.	Holt,	Priest,
Copley,	Houseman.	Riford.
Crane.	Hoyt,	Rood.
Crofoot,	Huff,	Roof,
Doty,	Hughes.	Roost,
Edwards.	Hurlbut,	Ross,
Fenton,	Huston.	Runyan,
Ferris.	Knapp,	Sumner,
Ferry,	Lamb,	Swineford,
Garrison.	Little,	Van Scoy,
Gillam,	McGonegal,	Walker,
C. B. Grant.	E. R. Miller,	Walton,
R. J. Grant.	N. L. Miller,	Wells,
Gray.	R. C. Miller,	White,
Green.	Millington,	Speaker. 72

NAYS.

Mr. Cherry.	Mr. Greusel,	Mr. Webster,
Clement.	Pearl.	Williams.
Gorman.		7

Title agreed to.

On motion of Mr. Holland,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Gillam moved to take from the table the substitute for House bill No. 234, entitled

A bill to amend section 3, of chapter 25, of the revised statutes of 1846, being section 1069, of chapter 22, of the compiled laws, relating to highways:

Which motion prevailed.

On motion of Mr. Gillam,

The bill was referred to the committee of the whole, and placed on the general order.

Mr. W. H. C. Mitchell moved to take from the table Senate manuscript bill, entitled

A bill to detach the county of Manitou from the thirteenth judicial circuit, and attach the same to the eleventh judicial circuit;

Which motion prevailed.

The question being on the passage of the bill,

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Grosvenor.	Mr. R. C. Miller.
Adsit,	Haack.	Millington.
Andrews,	Harris,	Minne,
Atwood,	Hart,	W.H.C. Mitchell,
Brockway,	H. Haynes.	Norris,
Clement,	J. Haynes.	C. Y. Osburn.
Climie,	Hazen,	Pattengell.
Cochrane.	N. R. Hill.	Phillips.
Copley,	S. W. Hill.	Pierson.
Coulter,	Holland,	Post,
Crane,	Holt,	Priest,
Crofoot,	Houseman.	Riford,
Doty,	Hoyt,	Rood.
Edwards,	Huff,	Roof,
Ferris,	Hughes,	Roost,
Ferry,	Hurlbut,	Ross,
Garfield,	Huston,	Sumner.
Gibson,	Kellogg.	Thayer.
Gillam,	Knapp,	Van Scoy.
C. B. Grant,	Lamb,	Walker,
R. J. Grant,	Little,	Walton.
Gorman,	McGonegal,	Webster,
Gray,	E. R. Miller,	Williams.
Green,	N. L. Miller.	Speaker.
Greusel,		

73

NAYS.

Mr. Bates,

Mr. Fenton.

2

Title agreed to.

On motion of Mr. W. H. C. Mitchell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. N. L. Miller moved to take from the table Senate bill No. 228, entitled

A bill to provide for the election of three general and two special county highway commissioners in the several counties of this State ;

Which motion did not prevail.

Mr. C. Y. Osburn moved that the House adjourn ;

Which motion did not prevail.

MESSAGES FROM THE GOVERNOR.

By unanimous consent, the Speaker announced the following :

EXECUTIVE OFFICE,
Lansing, April 8, 1871.

To the House of Representatives :

I have this day approved, signed, and deposited in the office of the Secretary of State, the following entitled acts :

1. An act to amend sections 5 and 9, of an act entitled " An act to provide for the appointment of a stenographer for the circuit court for the county of Wayne and other counties of this State, and to limit the operation of sections 1 and 4 of an act to declare and establish the practice in charging or instructing jurors, and in settling the law in cases tried in circuit courts, approved March 30, 1869," approved April 2d. 1869 ;

2. An act to amend sections 40 and 60, of an act entitled " An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869 ;

3. An act to establish the weight of lime ;

4. An act to incorporate the village of Grand Ledge ;

5. An act to change the name of Edna F. Flowers to Edna F. June, and to constitute her heir-at-law of David June ;

6. An act to amend sections 1 and 8, of an act entitled " An act to provide for a State board of equalization," approved April 7th, 1851, being sections Nos. 223 and 230 of the compiled laws ;

7. An act to amend section 7, of chapter 55, of the revised statutes of 1846, being section 2149, of chapter seventy-three (73), of the compiled laws of the State of Michigan, entitled "General provisions relating to corporations;"

8. An act to incorporate the village of Laingsburgh;

9. Joint resolution authorizing a temporary suspension of payment of State bounties;

10. Concurrent resolution:

Resolved (the Senate concurring), That out of respect to the memory of the late Hon. Jacob M. Howard, the Sergeant-at-Arms be directed to place the national flag at half-mast until Saturday noon;

11. Concurrent resolution:

Resolved by the House of Representatives (the Senate concurring), That the two branches of the Legislature will meet in joint convention on Thursday, the 6th day of April inst., at half-past 2 o'clock P. M., to act upon such nominations as the Governor may be prepared to make to such joint convention.

HENRY P. BALDWIN.

The message was laid on the table.

The Speaker also announced the following:

EXECUTIVE OFFICE, }
Lansing, April 12, 1871. }

To the House of Representatives:

I respectfully return without my approval,

"An act to legalize the action of the commissioners of highways, in laying out and establishing certain drains or ditches in the township of Ash, Monroe county."

The intent of this act is to secure the assessment and collection of a tax for the payment of the expense of the laying out and construction of certain drains or ditches in the township of Ash, that have been laid out and established without any authority of law.

The law of 1865, authorizing the highway commissioners to lay out and establish certain drains and ditches, was re-

pealed March 17, 1869; the proceedings of the commissioners sought to be legalized were taken subsequent to the time when the repealing act became effective, and consequently were entirely void. A mere informality or irregularity in carrying out the provisions of law, the doing a certain thing in misapprehension of law, or the failure to do what the law directs, when such failure tends to the injury of public or private interests, may be obviated and remedied by subsequent legislation. But it certainly cannot be successfully maintained, that where work has been carried on, expenditure of money made, and private property taken possession of and appropriated without any authority of law, it is within the power of the Legislature to legalize and validate such action, for were it otherwise, the security of personal property would be slight indeed; any individual, or number of individuals, without authority of law, might enter upon what *they* deemed necessary public improvements, and secure from a subsequent Legislature the passage of an act legalizing their action, and compelling the payment of a tax assessed to meet the expense of the improvement thus illegally made.

The supreme court of our State, in the case of *Hart vs. Henderson* (17th Mich Rep.), decided that "curative statutes may cover any mere irregularity in the course of proceeding for the enforcement of any lawful demand, but they can never cure a want of jurisdiction, either in tax proceedings or those of any other description. Nothing is a tax simply because of being called so; but any proceedings by which a man's property is to be taken from him on a *claim, which has no other basis than the naked declaration of the Legislature that it shall constitute a demand against him, is unconstitutional and void*, as not being "according to the law of the land," but, on the other hand, wholly unwarranted by legal principles.

It seems to me that this decision is conclusive against the act in question. The ditches and drains having been laid out and established without authority, and in the absence of law.

the highway commissioners had no jurisdiction or power in the premises; no valid claim or lawful demand could have existed against the person or property of any one on account of the construction of said ditches; and, according to the opinion of the highest court of our State, above cited, no act of the Legislature can validate or create such claim or demand.

HENRY P. BALDWIN.

The vote by which the bill was passed was reconsidered.

On motion of Mr. C. Y. Osburn,

The bill was laid on the table.

Mr. C. Y. Osburn moved that the House adjourn:

Which motion did not prevail.

MESSAGES FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER,
Lansing, April 12, 1871.

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bills:

1. House bill No. 399, entitled

A bill to amend chapter 109, of the revised statutes of 1846, in relation to the partition of lands, being chapter 135, of the compiled laws, as amended by act No. 70, of the laws of 1863, approved March 7, 1863, by adding a new section thereto:

2. House bill No. 401, entitled

A bill to amend section 1, of an act entitled "An act to authorize proceedings by garnishment in the circuit courts, and in the district court of the Upper Peninsula," approved March 16, 1861;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER,
Lansing, April 12, 1871.

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bills :

1. House manuscript bill, entitled

A bill to regulate and prescribe the time for the review and perfection of the assessment rolls of the township of Kalamazoo, in the State of Michigan, and to qualify the provisions of act No. 169, of the session laws of 1869, relating thereto ;

2. House manuscript bill, entitled

A bill to provide for laying out and constructing the Cass City and Sanilac State road, and making an appropriation of non-resident highway taxes for the same :

3. House bill No. 326, entitled

A bill to amend sections 1, 2, 3, 5, and 8, of act No. 124, of the session laws of 1869, being an act entitled “ An act to revise and consolidate the several acts relating to the protection of game, and for the better preservation of elk, deer, birds, and wild fowl,” approved April 3, 1869 ;

4. House bill No. 339, entitled

A bill to organize the township of Branch, in the county of Mason ;

5. House bill No. 344, entitled

A bill to organize the board of school inspectors of the townships of Lenox and Chesterfield, in the county of Macomb, to attach certain territory to fractional school district No. 7, of said townships ;

6. House bill No. 361, entitled

A bill to lay out and establish a State road from the village of Cheboygan, in the county of Cheboygan, to Little Traverse Bay, in Emmet county ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 12, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following joint resolutions:

1. House joint resolution No. 21, entitled

Joint resolution to authorize the Governor to convey the northeast quarter of the northwest quarter of section number 16, in township number 1 north, of range number 4 west, to John G. Estell, assignee of primary school land certificate No. 6151;

2. House joint resolution No. 22, entitled

Joint resolution authorizing the Auditor General to charge certain money or State tax now due Emmet county from the county of Charlevoix;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The joint resolutions were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER.

*Lansing, April 12, 1871.**To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 127, entitled

A bill to authorize the city of Monroe, in the county of Monroe, to borrow money for bridge purposes within said city, and give bonds therefor.

And to inform the House that the Senate has amended the same as follows:

1. Section 2, line 2, by striking out the word "may," and inserting in place thereof the word "shall:"

2. Section 4, by adding after the proviso, the words "in said first ward;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. J. Haynes moved that the House concur in the amendments made to the bill by the Senate:

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. C. B. Grant,	Mr. Little,
Adams,	R. J. Grant,	McGonegal.
Adsit,	Gray,	E. R. Miller.
Andrews.	Green,	N. L. Miller.
Brockway.	Greusel,	R. C. Miller.
Cameron,	Grosvenor,	Millington.
Chamberlain.	Haack,	Minne,
Cherry,	Harris,	W.H.C. Mitchell.
Clement,	H. Haynes,	Norris,
Climie,	J. Haynes,	Phillips.
Cochrane,	N. R. Hill,	Pierson.
Copley,	S. W. Hill.	Post.
Coulter,	Holland,	Priest.

Mr. Crane,	Mr. Holt,	Mr. Riford,	
Doty,	Houseman,	Rood,	
Edwards,	Hoyt,	Roost,	
Fenton.	Huff,	Summer,	
Ferris.	Hughes,	Thayer,	
Ferry,	Hurlbut.	Van Scoy,	
Garfield.	Kellogg,	Walker,	
Gibson.	Knapp,	Walton.	
Gillam.	Lamb,	Speaker.	66
	NAYS.		0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 12, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 238, entitled

A bill to amend section 31, of act No. 266, approved March 27th, 1867, entitled "An act to revise the charter of the village of Hudson;" also, section 52, of act No. 360, approved March 30th, A. D. 1869, entitled "An act to amend an act to revise the charter of the village of Hudson,"

And to inform the House that the Senate has amended the same by adding to subdivision 26, on page 5, the following proviso: "*Provided*, That nothing herein contained shall be construed to allow the said common council to grant license for the sale of spirituous or intoxicating liquors;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Huston moved that the House concur in the amendment made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Gorman,	Mr. N. L. Miller,
Adams,	Gray,	R. C. Miller,
Adsit,	Green,	Milington,
Andrews.	Greusel,	Minne,
Brockway,	Haack,	W.H.C. Mitchell,
Cameron,	Harris,	Norris,
Chamberlain,	Hart,	Phillips,
Cherry,	H. Haynes.	Pierson,
Clement.	J. Haynes,	Priest,
Climie,	N. R. Hill,	Riford.
Copley,	S. W. Hill,	Rood,
Coulter,	Holland,	Roost,
Crane.	Holt,	Ross,
Doty,	Houseman,	Sumner,
Edwards.	Hoyt,	Thayer,
Fenton.	Huff,	Van Scoy,
Ferris,	Hughes,	Walker,
Ferry,	Kellogg,	Walton,
Garfield.	Knapp,	Webster,
Gibson,	Lamb,	Williams,
Gillam,	Little,	Speaker,
R. J. Grant,	E. R. Miller,	

65

NAYS.

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The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER,)
Lansing, April 12, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill :

House bill No. 297, entitled

A bill to provide for the protection and preservation of fish in certain lakes in the counties of Cass and Berrien,

And to inform the House that the Senate has amended the same by striking out all of section 1 after the word "unlawful," in line 4 ;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and

has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER.

Secretary of the Senate.

Mr. Gibson moved that the House concur in the amendment made to the bill by the Senate :

Which motion did not prevail, by yeas and nays, as follows :

YEAS.

Mr. Brockway, Crane.	Mr. Gibson, Walton,	Mr. Webster.	5
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NAYS.

Mr. Adam, Adsit, Andrews, Cameron, Chamberlain. Cherry, Climie, Cochrane, Copley, Coulter. Doty, Edwards. Fenton, Ferris, Ferry, Garfield,	Mr. Gillam, R. J. Grant. Gorman, Gray, Haack, Harris, Hart, H. Haynes, J. Haynes, N. R. Hill, S. W. Hill, Holland, Houseman. Huff, Hurlbut, Kellogg,	Mr. Lamb. R. C. Miller. Millington. Minne, W.H.C. Mitchell. Norris, Pierson, Priest, Riford. Rood, Roost, Sumner. Thayer, Walker, Williams. Speaker.	48
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On motion of Mr. Gibson,

The House adjourned.

Lansing, Thursday, April 13, 1871.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Fassett.

Roll called: quorum present.

Mr. Williams asked and obtained leave of absence for Mr. Gillam for the day.

Mr. Edwards asked and obtained leave of absence for Mr. Chamberlain for the day.

PRESENTATION OF PETITIONS.

By Mr. Hart: Memorial and resolution of common council of the city of Lansing, asking the passage of Senate joint resolution No. 15, relative to an amendment to the constitution of the State of Michigan, providing for the payment of municipal bonds in aid of railroads.

On motion of Mr. Fenton,

The memorial was referred to the committee on judiciary, and was ordered printed in the journal.

The following is the memorial:

At a meeting of the common council of the city of Lansing, Ingham county, Michigan, held at the council room in said city, on Monday evening, April 10th, 1871, the following resolution was unanimously adopted:

Resolved by the Common Council of the city of Lansing, That the Representative from this Representative district be and he is respectfully requested to use his influence to secure the passage of a joint resolution submitting to the people an amendment to the State constitution, authorizing the several counties, towns, and cities, to pay the railroad aid bonds which have been issued and earned, which bonds this council believe ought to be paid.

In the event of a failure to procure the passage of a general amendment, that he endeavor to procure the passage of a special amendment authorizing the city of Lansing to save her own honor by paying the bonds issued by said city.

A true copy of a resolution passed as above mentioned.

E. B. WOOD, *City Clerk.*

REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following entitled bills:

1. House bill No. 281, entitled

A bill to incorporate the village of Rockford :

2. House bill No. 280, entitled

A bill to establish a board of public works in and for the city of Detroit ;

3. House bill No. 343, entitled

A bill to compel children to attend school ;

4. House bill No. 357, entitled

A bill to provide for the division of the township of Plymouth, Wayne county, into two election districts, for general election purposes ;

5. House bill No. 288, entitled

A bill relative to proof of corporations and joint stock companies in certain cases ;

6. House bill No. 398, entitled

A bill to amend an act entitled "An act to provide for the incorporation of slack-water navigation companies, for the improvement of rivers in the counties of St. Joseph, Cass, Berrien, and Cheboygan, and defining their powers and duties," approved March 25th, 1867 ;

7. House bill No. 171, entitled

A bill to amend an act entitled "An act imposing a specific tax upon corporations and chartered companies engaged in the business of mining, smelting, and refining ores in this State," approved March 10th, 1865, as amended by act No. 191, of the session laws of 1867 ;

8. House bill No. 307, entitled

A bill to amend sections 6, 24, 26, 28, 29, 31, 33, and 34, of act No. 136, of session laws of 1869, entitled "An act relative to the organization and powers of fire and marine insurance companies transacting business within the State," approved April 3, 1869, and to add two new sections thereto, to stand as sections 40 and 41 ;

9. House bill No. 85, entitled

A bill to amend section 7, of chapter 19, of compiled laws.

as amended by act No. 71, of the session laws of 1869, relating to the duties of overseers of highways;

10. House bill No. 372, entitled

A bill to amend recited sections 32 and 33, of act No. 32. of the laws of 1864, entitled "An act to amend an act entitled 'An act to further preserve the purity of elections, and guard against the abuses of the elective franchise, by a registration of electors,' approved February 14th, 1859," approved February 5th, 1864, and to add a new section thereto;

11. House bill No. 230, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Detroit," approved February 5th, 1857, as amended by several acts amendatory thereof.

CHAS. Y. OSBURN, *Acting Chairman.*

Report accepted.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate joint resolution No. 15, being

Joint resolution proposing an amendment to the Constitution of the State of Michigan, by adding a new section to article 19-A, "Of railroads," to stand as section 3, of said article,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute for the amendments to section three, recommending that the amendment be concurred in, and that the substitute and resolution do pass, and ask to be discharged from the further consideration of the subject.

A. CAMERON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Walker,

The House concurred in the amendment made to the joint resolution by the committee.

On motion of Mr. Huston,

The joint resolution was laid on the table.

By the committee on judiciary :

The committee on judiciary, to whom was referred Senate bill No. 131, entitled

A bill to amend section 25, of chapter 140, of the compiled laws, as amended by act No. 159, of the session laws of 1869, approved April 5, 1869, being "An act to authorize proceedings against garnishees, and for other purposes,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

MOTIONS AND RESOLUTIONS.

Mr. Holt moved to take from the table the substitute for House bill No. 244, entitled

A bill to amend section 31, of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6th, 1869 :

Which motion prevailed.

The question being on the passage of the bill,

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. R. J. Grant,	Mr. Moshier,
Adsit,	Gorman,	Norris,
Andrews,	Green,	J. M. Osborn,
Atwood,	Greusel,	Pattengell,
Barnaby,	Grosvenor,	Pearl,
Brockway,	Haack,	Phillips,
Brown,	Hart,	Pierson,
Cameron,	H. Haynes,	Priest,
Cherry,	Haywood,	Rood,

Mr. Childs,	Mr. N. R. Hill,	Mr. Roost,
Clement.	S. W. Hill,	Ross,
Climie,	Holland,	Runyan,
Cochrane,	Holt,	Sumner,
Copley,	Hoyt,	Thayer,
Coulter,	Huff,	Tobey,
Crane,	Hurlbut,	Van Scoy,
Crofoot.	Kellogg,	Walker,
Doty,	Knapp,	Walton,
Edwards.	Lamb,	Webster,
Ferris,	Little,	Wells,
Ferry,	McGonegal,	White,
Garfield.	E. R. Miller,	Williams,
Garrison,	Millington,	Speaker,
Gibson,	P. Mitchell,	

71

NAYS.

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The question being on agreeing to the title.

On motion of Mr. Holt,

The title was amended by inserting after the word "sections," the figures "26," and after "thirty-one," "and 87."

The title, as amended, was then agreed to.

Mr. Grosvenor moved to take from the table House bill No. 418, entitled

A bill to repeal act number one hundred and forty-five, of the session laws of 1863, antitled "An act to provide for the sale of swamp and primary school lands, in the mineral range of the Upper Peninsula, heretofore withheld from market as mineral lands," approved March 19th, 1863 ;

Which motion prevailed.

Mr. Grosvenor moved that the bill be referred to a special committee of five ;

Which motion prevailed.

The Speaker announced as such committee, Messrs. Grosvenor, S. W. Hill, P. Mitchell, Adam, and Fenton.

Mr. Holt moved to take from the table House bill No. 426, entitled

A bill to provide for the re-assessment of certain taxes in the third ward of the city of Muskegon ;

Which motion prevailed.

On motion of Mr. Holt,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Greusel,	Mr. Moshier,
Adams,	Haack,	Norris,
Atwood,	Harris,	J. M. Osborn.
Brockway,	Hart,	Pearl,
Brown,	Haywood,	Phillipa,
Cameron,	N. R. Hill,	Pierson,
Cherry,	S. W. Hill,	Priest,
Childs,	Holland,	Rood,
Clement,	Holt,	Roost,
Climie,	Huff,	Ross,
Copley,	Hurlbut,	Runyan,
Crane,	Huston,	Sumner,
Crofoot,	Knapp,	Thayer,
Doty,	Lamb,	Tobey,
Ferris,	Little,	Van Scoy.
Ferry,	McGonegal,	Walker,
Garfield,	E. R. Miller,	Walton,
Garrison,	N. L. Miller,	Wells,
Gibson,	R. C. Miller,	White,
R. J. Grant,	Millington,	Williams.
Gorman,	Minne,	Speaker,
Green,	P. Mitchell,	

65

NAYS.

0

The question being on agreeing to the title,

On motion of Mr. Holt,

The title was amended so as to read as follows:

A bill to amend section 65, of an act entitled "An act to revise and amend an act entitled 'An act to incorporate the city of Muskegon;'"

The title, as amended, was then agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Grosvenor moved to take from the table House bill No. 291, entitled

A bill to improve and protect the fisheries, and to appoint commissioners of the same for the State of Michigan ;

Which motion prevailed.

On motion of Mr. Brockway,

The bill was referred to the committee on judiciary.

UNFINISHED BUSINESS,

Being the consideration of the following resolution :

Resolved (the Senate concurring), That the Secretary of the Senate and the Clerk of the House of Representatives be and they are hereby authorized and requested to compile and prepare for publication, and make indexes, and superintend the publication of the journals and documents of the present Legislature ; and when completed and certified to by the Secretary of State, they shall each be entitled to and receive for such services, the sum of five hundred dollars ;

Which was adopted.

Mr. J. M. Osborn, by unanimous consent, offered the following :

Resolved, That one dollar per day in addition to their per diem allowance be paid to W. D. Burnham and Wm. H. Smith, fireman and assistant-fireman of this House, for their services as night watchmen.

Mr. H. Haynes moved to amend the resolution by striking out the words " Wm. H. Smith, assistant fireman ;"

Which motion did not prevail.

The question being on the adoption of the resolution,

Mr. Brockway demanded the yeas and nays.

The demand was seconded, and the resolution was adopted by yeas and nays, as follows :

YEAS.

Mr. Adam,
Adams,
Atwood,
Cameron.

Mr. Greusel,
Grosvenor,
Haack,
Harris,

Mr. Norris,
C. Y. Osburn,
J. M. Osborn,
Pattengell,

Mr. Cherry.	Mr. Hart,	Mr. Pearl,
Childs,	J. Haynes.	Phillips.
Cochrane,	Haywood,	Priest,
Congdon,	Hazen,	Roost,
Coulter,	S. W. Hill.	Ross,
Crofoot.	Holland,	Runyan,
Doty,	Holt,	Smith,
Edwards,	Hoyt,	Swineford.,
Garrison,	Huff,	Tobey,
Gibson,	Hurlbut,	Van Scoy.
C. B. Grant,	N. L. Miller,	Wells,
R. J. Grant,	R. C. Miller,	White,
Gorman,	Montgomery.	Speaker.
Gray,	Moshier,	
	NAYS.	

53

Mr. Adsit,	Mr. Ferry,	Mr. P. Mitchell,
Andrews,	Garfield,	Pierson,
Barnaby,	H. Haynes.	Rood,
Brockway.	N. R. Hill.	Thayer,
Brown,	Knapp,	Walker,
Clement,	Lamb,	Walton,
Copley.	McGonegal,	Webster,
Crane,	Millington.	Williams,
Ferris,		

25

Mr. Adam moved to reconsider the vote by which the resolution was adopted :

Which motion prevailed.

Mr. Andrews moved to lay the resolution on the table :

Which motion did not prevail.

The question being on the adoption of the resolution,

Mr. Brockway demanded the yeas and nays.

The demand was seconded, and the resolution was adopted.
by yeas and nays, as follows :

YEAS.

Mr. Adams.	Mr. J. Haynes.	Mr. C. Y. Osburn.
Atwood.	Haywood,	J. M. Osborn,
Childs,	Hazen,	Pattengell.
Cochrane.	S. W. Hill.	Pearl,
Congdon.	Holland,	Phillips.
Coulter.	Holt,	Post,
Crofoot.	Houseman,	Priest,
Edwards.	Hoyt.	Roost,

Mr. Garrison.	Mr. Huff,	Mr. Ross,
Gibson,	Hurlbut,	Smith,
C. B. Grant.	Little,	Sumner,
R. J. Grant.	N. L. Miller,	Swineford,
Gorman,	W.H.C. Mitchell,	Tobey,
Gray,	Montgomery,	Van Scoy,
Greusel.	Moshier,	Wells,
Haack,	Norris,	Speaker,
Harris,		

49

NAYS.

Mr. Adam.	Mr. Ferris,	Mr. R. C. Miller,
Adsit,	Ferry,	Millington,
Andrews,	Garfield,	P. Mitchell,
Barnaby,	Green,	Pierson,
Brockway.	H. Haynes,	Rood,
Brown,	N. R. Hill,	Runyan,
Cameron.	Hughes,	Thayer,
Clement.	Knapp,	Walker,
Climie,	Lamb,	Walton,
Copley,	McGonegal,	Webster,
Crane,	E. R. Miller,	Williams,

33

Mr. Adams offered the following :

Resolved, That one dollar per day each, in addition to their *per diem* allowance, be paid to the Assistant Clerks of this House for their services during this session.

Mr. H. Haynes moved to amend the resolution by inserting the words "Engrossing and Enrolling Clerk, and his assistant," after the word "House ;"

Mr. Ferris moved to amend the amendment by inserting the words "Clerk and," before the word "assistant ;"

Which motion prevailed.

The amendment of Mr. Haynes was then agreed to.

Mr. Cameron moved to amend the resolution by including the keeper of the cloak room.

Mr. Williams moved to amend the amendment by including the Sergeant-at-Arms and his assistant ;

Which was agreed to.

Mr. Post moved to amend the amendment by including the messenger boys ;

Which was agreed to.

Mr. Ross moved to include the Postmaster ;

Which was not agreed to.

The question being on the adoption of the amendment, as amended,

Mr. H. Haynes demanded the yeas and nays.

The demand was seconded, and, pending the taking of the vote thereon,

On motion of Mr. Roost,

The resolution was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker, by unanimous consent, announced the following:

SENATE CHAMBER,
Lansing, April 12, 1871.

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 117, entitled

A bill to amend sections 1, 2, 3, 4, 6, 9, 10, 11, 14, 17, 18, 19, 20, 21, 24, 26, 29, 30, 31, and 33, of act No. 43, of laws of 1869, being an act to provide for the draining of swamps, marshes, and other low lands, approved March 22d, 1869,

And to inform the House that the Senate has amended the same as follows:

1. Section 1, line 4, by inserting after the word "county," the words "and who may hold his office for two years;"

2. Section 19, by striking out the proviso thereto;

3. Section 30, by adding thereto the following proviso: "*Provided, That no drain commissioner holding office at the time this act takes effect, shall be removed by the board of supervisors, except for incompetency or malfeasance in office;*"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER.

Secretary of the Senate.

Mr. Copley moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Greusel,	Mr. P. Mitchell,
Adams,	Grosvenor,	W.H.C. Mitchell,
Adsit,	Haack,	Montgomery,
Barnaby,	H. Haynes,	Moshier,
Brockway,	J. Haynes,	Norris,
Cameron,	Haywood,	C. Y. Osburn,
Childs,	Hazen,	J. M. Osborn,
Climie,	N. R. Hill,	Pattengell,
Cochrane,	S. W. Hill,	Phillips,
Copley,	Holland,	Pierson,
Coulter,	Holt,	Post,
Crane,	Houseman,	Priest,
Crofoot,	Hughes,	Rood,
Ferris,	Hurlbut,	Roof,
Garrison,	Knapp,	Ross,
Gibson,	Lamb,	Smith,
C. B. Grant,	Little,	Walker,
R. J. Grant,	McGonegal,	Walton,
Gorman,	E. R. Miller,	Wells,
Gray,	N. L. Miller,	Speaker,
Green,	Millington,	

62

NAYS.

Mr. Atwood,	Mr. Garfield,	Mr. Runyan,
Brown,	Hart,	Sumner,
Cherry,	Huff,	Swineford,
Clement,	Kellogg,	Van Scoy,
Congdon,	R. C. Miller,	Webster,
Ferry,	Roost,	Williams,

18

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 12, 1871.

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 11, entitled

A bill to collect, compile, and reprint the laws of this State,

And to inform the House that the Senate has adopted a substitute therefor, entitled

A bill to provide for the appointment of two commissioners to prepare the general laws of this State, for the proper compilation of the same;

In the passage of which, as thus substituted, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Swineford moved to lay the bill on the table;

Which motion did not prevail.

Mr. Garrison moved to recommit the bill to the committee on judiciary;

Which motion prevailed.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 12, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 201, entitled

A bill to provide for the laying out and constructing a State road in the counties of Clare and Gladwin, and to repeal act No. 399, of the session laws of 1869,

And to inform the House that the Senate has amended the same as follows:

1. Section 2, by striking out all after the word "west," where it occurs the second time in line 3, and inserting in place thereof the following: "Also all unexpended non-resident highway taxes appropriated under act No. 467, of session laws of 1867, and act No. 399, of session laws of 1869, accruing from territory lying west of the east line of range three (3) west, and from township eighteen (18) north, of range two (2) west, and north of the north line of Isabella county;"

2. Section 7, by adding thereto the following: "and it shall be the duty of the commissioner to be appointed under this act, to demand and receive the non-resident taxes hereby appropriated, from each and every officer or person into whose hands any of such taxes have or may hereafter come; and if the same are not paid upon such demand, said commissioner, or his successor, may bring suit or suits in his own name for the use and purpose above designated, and recover such taxes, with costs of suit, against such person or officer, and his or their bondsmen, and apply and expend said moneys as herein provided ;"

3. By striking out recited sections 9 and 10;

Also, that the Senate has amended the title of the bill by striking out all after the word "Gladwin ;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Barnaby moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Gray,	Mr. W.H.C. Mitchell.
Adsit,	Green,	Montgomery,
Andrews,	Greusel,	Norris,
Barnaby,	Haack,	J. M. Osborn,
Bates,	Hart,	Pattengell,
Brockway,	J. Haynes,	Phillips,
Brown,	Haywood,	Pierson,
Cameron,	Hazen,	Post,
Olimie,	S. W. Hill,	Priest,
Cochrane,	Holland,	Riford,
Copley,	Huff,	Rood,
Coulter,	Hughes,	Ross,
Crane,	Kellogg,	Runyan,

Mr. Crofoot,	Mr. Knapp,	Mr. Sumner,	
Dalton,	McGonegal,	Thayer,	
Edwards.	E. R. Miller,	Tobey,	
Ferris,	N. L. Miller,	Walker,	
Garrison,	R. C. Miller,	Walton,	
Gibson,	Millington,	Webster,	
C. B. Grant,	Minne,	Wells,	
R. J. Grant,	P. Mitchell,	Speaker,	63
NAYS.			

Mr. Cherry,	Mr. Harris,	Mr. Roost,	
Childs,	Lamb,	Williams.	8
Gorman,	Moshier,		

The title, as amended by the Senate, was then agreed to.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The committee on public lands, by unanimous consent, made the following report :

The committee on public lands, to whom was referred House bill No. 402, being

A bill to amend section 3, of act No. 117, of the session laws of 1859, being an act entitled "An act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches," and to add a new section thereto, to stand as section twenty-three,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

EZRA HAZEN, *Chairman.*

Report accepted and committee discharged.

Mr. J. Haynes moved that the House concur in the adoption of the substitute reported by the committee.

Mr. Riford moved to amend the substitute so as to provide for only one commissioner ;

Mr. Post moved the previous question ;

The demand was seconded, and the main question ordered.

The question being on agreeing to the amendment offered by Mr. Riford,

The motion prevailed.

The question being on the adoption of the substitute, as amended,

The substitute was agreed to.

On motion of Mr. Riford,

The bill was then referred to the committee of the whole, and placed on the general order.

The committee on public lands, by unanimous consent, made the following report :

The committee on public lands, to whom was referred Senate bill No. 219, entitled

A bill to amend sections 1 and 3, of act No. 76, of the session laws of 1867, being an act entitled "An act to provide for the appointment of a commissioner to be known as the Swamp Land State Road Commissioner," approved March 21, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

EZRA HAZEN, *Chairman.*

Report accepted and committee discharged.

Mr. Barnaby moved to lay the bill on the table ;

Which motion did not prevail.

On motion of Mr. Huston,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The committee on printing, by unanimous consent, made the following report :

The committee on printing, to whom was referred Senate joint resolution No. 19, being

Joint resolution for the payment of printing done by James O'Donnell,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. R. BATES, *Chairman*.

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

The committee on State Prison, by unanimous consent, made the following report :

The committee on State Prison, to whom was referred

A bill to authorize the fireman to clear off the walks about the capitol grounds,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Acting Chairman*.

Report accepted and committee discharged.

On motion of Mr. Brockway,

The bill was laid on the table.

The committee on judiciary, by unanimous consent, made the following report :

The committee on judiciary, to whom was referred

A bill to authorize justices of the peace of the township of Hamlin, in Eaton county, to hold courts at any place within the corporate limits of the village of Eaton Rapids,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substi-

tute do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Montgomery,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Huston,

The bill was then referred to the committee of the whole, and placed on the general order, without being printed.

Mr. C. B. Grant moved that the House go into committee of the whole on the general order;

Which motion did not prevail.

Mr. Cameron, by unanimous consent, moved to take from the table House joint resolution No. 15, entitled

Joint resolution proposing an amendment to the constitution of the State of Michigan, by adding a new section to article 19-A, "Of railroads," to stand as section three (3) of said article;

Which motion prevailed.

The question being on the passage of the joint resolution

Mr. Fenton moved that there be a call of the House;

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following member reported absent without leave: Mr. Pearl.

On motion of Mr. H. Haynes,

All further proceedings under the call were dispensed with.

Mr. Bates demanded the previous question.

The demand was seconded, and the main question ordered.

The question being on the passage of the joint resolution,

Which reads as follows:

JOINT RESOLUTION proposing an amendment to the constitution of the State of Michigan by adding a new section to article 19-A, "Of railroads," to stand as section three (3) of said article.

Resolved by the Senate and House of Representatives of the State of Michigan, That the following amendment to the constitution of the State of Michigan be and the same is hereby proposed, to stand as section three (3) of article nineteen-a (19-A). "Of railroads: "

SEC. 3. The Legislature shall provide by law for the payment by the counties, townships, and municipalities of this State, of all bonds or other obligations heretofore issued and negotiated, and the purchase price thereof realized, previous to the 27th day of May, A. D. 1870, in pursuance of acts of the Legislature, by such counties, townships, and municipalities, severally, for and in aid of any railroad company: *Provided, That such bonds or obligations shall be paid by the county, township, or municipality issuing or incurring the same, and in no event shall the State pay or become liable for any portion of such bonds or obligations: And provided further, That no county, township, or other municipality, shall be required to pay any such bonds unless the question of payment shall be first submitted to the electors of such county, township, or other municipality, at an election to be appointed for that purpose, and a majority of the votes cast at such election shall be in favor of such payment: And provided further, That no elector shall be entitled to vote at such election who has not resided in the county, township, or municipality three months next preceding said election.*

The aforesaid amendment shall be and is hereby submitted to the people of this State at the next general election, to be holden on the Tuesday succeeding the first Monday in November, 1872, as provided in section one, article twenty, of the constitution; and the Secretary of State is hereby required to give notice of the same to the sheriffs of the several counties of this State, in the same manner that he is now required by

law to do in the case of an election of Governor and Lieutenant Governor; and the inspectors of elections in the several townships and cities of this State shall prepare a suitable box for the reception of ballots cast for and against such amendment. Each person voting at said election for said amendment shall have written or printed on his ballot the words "Amendment providing for the payment of bonds issued and negotiated, and the purchase price thereof realized, prior to the 27th day of May, 1870, by the counties, townships, and municipalities issuing the same, for and in aid of any railroad company—Yes." And each person voting against it, the words "Amendment providing for the payment of bonds issued and negotiated, and the purchase price thereof realized, prior to the 27th day of May, 1870, by the counties, townships, and municipalities issuing the same, for and in aid of any railroad company—No." The ballots shall in all respects be canvassed, and returns be made, as in elections of Governor and Lieutenant Governor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Green,	Mr. P. Mitchell,
Adams,	Greusel,	W.H.C. Mitchell,
Andrews,	Grosvenor,	Montgomery,
Atwood,	Haack,	Norris,
Barnaby,	Harris,	C. Y. Osburn.
Bates,	Hart,	J. M. Osborn.
Brockway,	H. Haynes,	Pattengell,
Brown,	J. Haynes,	Pearl,
Cameron,	Haywood.	Phillips.
Cherry,	Hazen,	Pierson.
Childs,	S. W. Hill,	Post,
Clement,	Holland,	Priest,
Cochrane,	Holt,	Rood.
Copley,	Houseman,	Roof,
Crane,	Hoyt,	Roost,
Crofoot,	Hughes,	Ross,
Dalton,	Hurlbnt.	Sumner,
Penton.	Huston,	Swineford,

Mr. Ferry,
Garfield,
Garrison,
Gibson,
C. B. Grant,
R. J. Grant,
Gray,

Mr. Knapp,
Little,
McGonegal,
E. R. Miller,
N. L. Miller,
Minne,

Mr. Tobey,
Walker,
Walton,
Webster,
Wells,
Speaker,

73

NAYS.

Mr. Adsit,
Congdon,
Coulter,
Doty,
Edwards,
Ferris,
Gorman,

Mr. Huff,
Kellogg,
Lamb,
R. C. Miller,
Millington,
Moshier,
Riford,

Mr. Runyan.
Smith,
Thayer,
Van Scoy,
White,
Williams.

20

Title agreed to.

GENERAL ORDER.

On motion of Mr. C. B. Grant,

The House went into committee of the whole on the general order,

Mr. Adams in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 404, entitled

A bill to provide a tax for the expenses of the State government;

2. House bill No. 423, entitled

A bill to amend sections four and thirteen, of article two, of the charter of the village of Midland City:

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

3. House bill 406, entitled

A bill to provide an additional sum for the payment of officers and members of the Legislature, for the year 1871 ;

4. House bill No. 363, entitled

A bill to amend section 1, of act No. 467, of the laws of 1869, entitled " An act to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches from Tawas Bay, in Iosco county, to the west line of said county, to the intersection of the Midland and Traverse Bay State road ; "

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills :

5. Senate bill No. 188, entitled

A bill to authorize the common council of the city of Coldwater to remove the dead from a certain cemetery therein, and to vacate the same as a place of burial :

6. House bill No. 424, entitled

A bill to incorporate the city of Lowell ;

Have directed their chairman to report the same back to the House, with the recommendation that they be laid on the table.

The committee of the whole have also had under consideration the following entitled joint resolution :

Senate joint resolution No. 17, entitled

Joint resolution to authorize the Board of State Auditors to audit and allow the account of L. M. S. Smith, for printing for the use of the supreme court, the pleadings and testimony in the case of the State of Michigan, *ex. rel.* Frank H. White, *vs.* Hermanns Doesburg ;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill :

Senate bill No. 53, entitled

A bill to provide for the payment of the salaries of the State officers;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

O. ADAMS, *Chairman.*

Report accepted and committee discharged.

The two first named bills and the joint resolution were placed on the order of third reading.

On motion of Mr. Brown,

The House concurred in the amendments made to the third and fourth named bills by the committee, and they were placed on the order of third reading.

On motion of Mr. H. Haynes,

The House concurred in the recommendation of the committee in regard to the sixth and seventh named bills, and they were laid on the table.

Mr. J. Haynes moved that the committee have leave to sit again in consideration of the last named bill:

Which motion did not prevail.

On motion of Mr. Riford,

The bill was placed on the order of third reading.

MESSAGES FROM THE SENATE.

The Speaker, by unanimous consent, announced the following:

SENATE CHAMBER,
Lansing, April 13, 1871.

To the Speaker of the House of Representatives:

SIR—I am instructed to re-transmit to the House the following bill:

Senate bill No. 61, entitled

A bill to lay out and establish a State road in the counties of Midland and Gladwin, and to appropriate certain non-resident highway taxes for the construction thereof:

Which the House amended as follows:

1. Strike out the first section 3 of the bill ;
2. In section 3, line 2, strike out the word "eighteen ;" also, in the same line, after the word "west," insert the words "and town eighteen north, of range one west ;" also, strike out all after the word "same," in line 5, up to and including the word "authorized," in line 8 ;
3. In section 4, line 1, strike out the last letter "s" in the word "treasurers;" also, strike out the word "respectively," in the same line ; also, strike out all after the word "county," in the second line, up to and including the word "for," in the fifth line, and insert the following: "who shall receive any of the;" also, in line 8, strike out the word "had ;"
4. In section 7, line 3, strike out the words "which has heretofore;" also, in lines 3 and 4, strike out the words "and which has not been paid out by virtue of said acts Nos. 467 and 468 ;"
5. In section 8, line 1, before the word "supervisors," insert the words "the board of ;"

In which amendments the Senate refused to concur, and on which the House has insisted, and to inform the House that the Senate has appointed a committee of conference, consisting of Senators Jenks, Stoddard, and Begole, and I am directed by the Senate to request the appointment of a like committee on the part of the House to consider the matter of the disagreement of the two Houses on said amendments.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Little moved that a committee of five be appointed on the part of the House to confer with the committee appointed by the Senate on the disagreement of the two Houses ;

Which motion prevailed.

The Speaker announced as such committee, Messrs. Little, Lamb, Barnaby, J. Haynes, and Atwood.

The Speaker also, by unanimous consent, announced the following:

SENATE CHAMBER, }
Lansing, April 13, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the Senate has appointed Senators Sheley, Hatheway, and Romeyn, to confer with the committee already appointed by the House on the disagreement of the two Houses on House bill No. 290, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Detroit, approved February fifth, one thousand eight hundred and fifty-seven, as amended by the several acts amendatory thereof," and to add several sections thereto, and to repeal several sections thereof.

Very respectfully,

HENRY S. SLEEPER,
Secretary of the Senate.

The message was laid on the table.

On motion of Mr. Rood,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

MESSAGES FROM THE GOVERNOR.

The Speaker, by unanimous consent, announced the following:

EXECUTIVE OFFICE, }
Lansing, April 13, 1871. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State, the following entitled acts:

1. An act giving the auditors of Wayne county a salary ;
2. An act to provide for the construction of a State road in the counties of Isabella, Midland, and Clare ;
3. An act to amend sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, and 20, of an act entitled "An act to provide for the incorporation of water-power companies," approved March 20, 1863, and section 15, as amended by act No. 51, of the session laws of 1869, and to add a new section thereto, to stand as section 22 ;
4. An act to further amend an act entitled "An act to provide for the construction of tram railways ;"
5. An act to provide for the laying out and constructing a State road in Isabella county ;
6. An act to amend sections 6, 24, 26, 28, 29, 31, 33, and 34, of act number 136, of session laws of 1869, entitled "An act relative to the organization and powers of fire and marine insurance companies transacting business within the State," approved April 3d, 1869, and to add two new sections thereto, to stand as sections 40 and 41 ;
7. An act to amend section 7 of chapter 19 of compiled laws, as amended by act No. 71 of the session laws of 1869, relating to the duties of overseers of highways.

HENRY P. BALDWIN.

The message was laid on the table.

The Speaker also announced the following :

EXECUTIVE OFFICE, }
LANSING, April 13, 1871. }

To the House of Representatives :

I respectfully return, without my approval.

"An act to authorize the city of Hastings to issue bonds for the building of bridges."

This act is returned for your reconsideration, not because the object sought to be attained is objectionable or improper, but because, in my judgment, it is in conflict with the provisions of section 28, article 4, of the constitution.

The history of this act, as appears from the official journal of the House of Representatives, is as follows:

On the 13th of March last, one of the standing committees of the House reported, without amendment, House bill No. 98, "To amend section one, of an act to amend sections one, seven, and twenty-six, of an act to revise the charter of the village of Hastings, approved March 22, 1867," approved February 24, 1869. The intent of the bill reported by the committee was to change and establish the boundaries of said village. In due course of legislation the bill was considered in committee of the whole, reported back to the House, and laid on the table. On the 17th of March it was taken from the table and referred again to the committee on banks and incorporations; on the 21st of March it was, by the committee, reported to the House with an accompanying substitute; the same day the substitute was concurred in and passed the House; the title was then amended so as to correspond with the bill. The result of all this was, the act herewith returned.

Thus the original bill,—a bill introduced within the period fixed by the constitution,—the sole object of which was to establish boundary lines of a village, was made to disappear, and the present bill to allow a city to issue bonds for building bridges, was brought before the Legislature twenty-seven days subsequent to the time when a new bill could be constitutionally introduced.

If the act under consideration is clearly unconstitutional, as I believe it to be, my approval could not have given it the least quality of validity, and every bond issued by virtue of its provisions would have been wholly without authority of law; but before the discovery of its fatal defects, the bonds might have been voted and gone into the hands of innocent purchasers. I am quite sure the people of Hastings cannot desire, even for the most beneficial purposes, to cause to be issued and disposed of, promises to pay, evidences of debt, the payment of which, principal or interest, could be successfully resisted by any tax-payer of the city.

It is sometimes said that no danger or harm can arise from acts of this kind, for the reason that there is no way of testing their constitutionality; that courts would not go behind the act itself, to examine the journal of the Legislature, to determine whether constitutional requirements had been complied with. In answer to this, it is only necessary to cite opinions expressed or declared by the highest legal authority of the State.

In the case of the People *vs.* Mahaney, to be found in the 13th Michigan Reports, the supreme court use the following language: "As the court is bound judicially to take notice of what the law is, we have no doubt it is our right, *as well as our duty*, to take notice, not only of the printed statute-books, *but also of the journals of the two Houses*, to enable us to determine whether all the constitutional requisites of the validity of a statute have been complied with." The opinion here expressed is certainly clear and explicit.

Legislative bodies cannot be too careful in the observance of all constitutional requirements in the enactment of laws, especially when great injury and loss might otherwise result to those who, relying upon the supposed validity of acts found in statute books, are led to invest their means in municipal stocks or obligations.

HENRY P. BALDWIN.

The question being on reconsidering the vote by which the bill was passed,

The motion prevailed.

On motion of Mr. J. M. Osborn.

The bill was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,)
Lansing, April 13, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following concurrent resolution:

Resolved (the Senate concurring), That from and after Thursday, the 13th day of April, 1871, the two Houses will transact no business other than for the President of the Senate and the Speaker of the House to sign enrolled bills, for the approval of the Governor, and the entry of the same on the journals of the proper Houses by the Secretary and Clerk, and the time of final adjournment of this Legislature shall be on Monday, the 17th day of April, 1871, at 12 o'clock, noon, of that day.

And to inform the House that the Senate has amended the same by striking out the words "Thursday, the 13th," and inserting in place thereof the words, "Friday, the 14th;" also, by striking out the words "Monday, the 17th," and inserting in place thereof the words "Tuesday, the 18th;"

In the passage of which, as thus amended, the Senate has concurred.

Very respectfully,

HENRY S. SLEEPER,
Secretary of the Senate.

On motion of Mr. H. Haynes,

The House concurred in the amendments made to the resolution by the Senate.

The Speaker also announced the following:

SENATE CHAMBER,)
Lansing, April 13, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following concurrent resolution:

Resolved (the Senate concurring), That the Secretary of the Senate and the Clerk of the House of Representatives be and they are hereby authorized and requested to compile and prepare for publication, and make indexes, and superintend the publication of the journals and documents of the present Legislature; and when completed and certified to by the

Secretary of State, they shall each be entitled to and receive for such services, the sum of five hundred dollars;

In the passage of which the Senate has concurred.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The concurrent resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,)
Lansing, April 12, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 227, entitled

A bill to amend sections 15, 16, 18, 25, and 164, of an act entitled "An act to provide for the uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, A. D. 1869;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,)
Lansing, April 13, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 297, entitled

A bill to provide for the protection and preservation of fish in certain lakes in the counties of Cass and Berrien,

Which the Senate amended by striking out all of section 1 after the word "unlawful," in line 4;

In which amendment the House refuses to concur.

And to inform the House that the Senate has receded from its amendment.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker, by unanimous consent, announced the following:

STATE LAND OFFICE, {
Lansing, April 13, 1871. }

To the Speaker of the House of Representatives:

SIR—I have the honor to acknowledge the receipt of the following House resolution:

Resolved, That the Commissioner of the State Land Office be and he hereby is requested, at his earliest convenience, to inform this House what amount is now due the county of Calhoun as interest from the swamp land fund, on account of lands sold from that county, under the provisions of section 5 of an act to provide for the sale of the swamp lands and the reclamation thereof, and to secure the pre-emption claims of settlers thereon, approved February 4, 1858;

And, in response thereto, allow me to inform the House that this office has never had jurisdiction over the apportionment of the swamp land fund.

It appears from the last annual report of my immediate predecessor, that there have been sold for cash in Calhoun county 12,454.56 acres of swamp land, but these lands were sold at different rates per acre, and the system of book-keeping heretofore in use at this office renders it impossible for me to com-

ply with the request as expressed in the terms of your resolution.

Very respectfully,

CHAS. A. EDMONDS,

Commissioner.

The communication was laid on the table.

Mr. Hurlbut, by unanimous consent, offered the following:

Resolved, That the order of business be suspended during the remainder of this session ;

Which was adopted.

Mr. J. M. Osborn moved to take from the table House joint resolution No. 27, entitled

Joint resolution submitting an amendment to the constitution of the State, providing that the penal fines collected in townships be applied to the support of the library, or the general school fund of said townships ;

Which motion prevailed.

The question being on the passage of the joint resolution which reads as follows :

JOINT RESOLUTION submitting an amendment to the constitution of the State, providing that the penal fines collected in townships be applied to the support of the library, or the general school fund of said townships.

Resolved by the Senate and House of Representatives of the State of Michigan, That the following amendment to the constitution of this State be and the same is hereby proposed, to stand as section 12, of article 13 :

The Legislature may provide for the establishment of at least one library in each township, in such manner as may be by law prescribed. All fines assessed and collected in the several counties and townships for any breach of the penal laws, shall be used for such library or for primary school purposes, as the township board interested may by resolution determine.

Said amendment shall be submitted to the people of this State at the next general election, to be held on the Tuesday suc-

ceeding the first Monday in November, in the year 1872, and the Secretary of State is hereby required to give notice of the same to the sheriffs of the several counties in this State in the same manner that he is now by law required to do in case of an election of Governor and Lieutenant Governor; and the inspectors of elections in the several townships and cities in this State shall prepare a suitable box for the reception of ballots cast for and against said amendment. Each person voting for said amendment shall have written or printed on his ballot the words "Amendment relative to township libraries—Yes:" and each person voting against it, the words "Amendment relative to township libraries—No." The ballots shall in all respects be canvassed and returns be made as in elections of Governor and Lieutenant Governor.

Was then read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays. as follows :

YEAS.

Mr. Adam,	Mr. Greusel,	Mr. P. Mitchell,
Adams,	Grosvenor,	W.H.C. Mitchell.
Barnaby,	Haack,	Montgomery,
Bates,	Harris,	Norris,
Brockway,	Hart,	C. Y. Osburn,
Brown,	H. Haynes,	J. M. Osborn,
Cherry,	J. Haynes,	Pearl,
Childs,	Haywood,	Phillips,
Clement,	Hazen,	Pierson.
Climie,	N. R. Hill,	Riford,
Cochrane,	S. W. Hill,	Rood,
Congdon,	Holland,	Roof,
Copley,	Holt,	Runyan,
Crofoot,	Houseman,	Smith,
Edwards,	Huff,	Sumner,
Fenton,	Hughes,	Swineford.
Ferris,	Hurlbut,	Thayer,
Ferry,	Huston,	Van Scoy,
Garfield,	Kellogg,	Walker,
Garrison,	Knapp,	Walton,
Gibson,	McGonegal,	Wells,
C. B. Grant,	E. R. Miller,	White,
Gray,	R. C. Miller,	Williams,
Green,	Minne,	Speaker.

NAYS.

Mr. Adsit,	Mr. Hoyt,	Mr. Post,
Andrews,	N. L. Miller,	Priest,
Coulter,	Millington,	Roost,
Crane,	Moshier,	Ross,
Gorman,	Pattengell,	Webster,
		15

Title agreed to.

The committee on judiciary submitted the following report:

The committee on judiciary, to whom was referred Senate bill No. 291. entitled

A bill to improve and protect the fisheries, and to appoint commissioners of the same for the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cherry,

The House concurred in the amendments made to the bill by the committee.

The question being on the passage of the bill,

The bill was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Haack,	Mr. W.H.C. Mitchell,
Atwood,	Harris,	Montgomery,
Barnaby,	Hart,	C. Y. Osburn,
Bates,	J. Haynes,	Pattengell,
Brockway,	Haywood,	Pearl,
Climie,	S. W. Hill,	Phillips,
Cochrane,	Holland,	Pierson,
Congdon,	Houseman,	Riford,
Copley,	Hoyt,	Roof,
Dalton,	Hughes,	Ross,
Edwards,	Hurlbut,	Runyan,
Fenton,	Huston,	Smith,

Mr. Ferris,
Garfield,
Garrison,
Gibson,
C. B. Grant,
Greusel,
Grosvenor,

Mr. Little,
McGonegal,
E. R. Miller,
Millington,
Minne,
P. Mitchell,

Mr. Sumner,
Swineford,
Walker,
Webster,
Wells,
White,

55

NAYS.

Mr. Adam,
Adsit,
Andrews,
Brown,
Cherry,
Clement,
Coulter,
Crane,
Crofoot,
Doty,
Ferry,
R. J. Grant,
Gorman,

Mr. Gray,
Green,
H. Haynes,
Hazen,
N. R. Hill,
Holt,
Huff,
Kellogg,
Knapp,
Lamb,
N. L. Miller,
R. C. Miller,
Moshier,

Mr. Norris,
J. M. Osborn,
Post,
Priest,
Rood,
Roost,
Thayer,
Tobey,
Van Scoy,
Walton,
Williams,
Speaker,

38

Title agreed to.

On motion of Mr. Brockway,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Brockway moved to take from the table House manuscript bill, entitled

A bill to authorize the fireman to clear off the walks about the capitol grounds;

Which motion prevailed.

On motion of Mr. Adam,

The bill was referred to the committee on State Prison.

Mr. Adam moved to take from the table House bill No. 367, entitled

A bill to amend section 124, of act 169, of the session laws of 1869, entitled "An act to provide a uniform assessment of property, and for the collection and return of taxes thereon," approved April 9, 1869;

Which motion prevailed.

On motion of Mr. Adam,

The bill was referred to the committee on State Prison.

The following report was submitted:

The committee of conference, appointed by the Senate and House of Representatives, in relation to the matters of difference between the Senate and House, in regard to the amendments made by the House to Senate bill No. 61, entitled

A bill to lay out and establish a State road in the counties of Midland and Gladwin, and to appropriate certain non-resident highway taxes for the construction thereof,

Respectfully report that they have had the same under consideration, and have unanimously agreed to substitute amendment marked "A," in place of amendment marked "No. 2½," as made by the House; and have further agreed to strike out the amendments marked "6" and "7," which amendments accompany the bill, and recommend that the amendments be concurred in, and ask to be discharged from the further consideration of the subject.

C. D. LITTLE,

Chairman Joint Committee.

Mr. J. Haynes moved that the House concur in the recommendations of the committee.

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Green,	Mr. W.H.C. Mitchell
Adsit,	Haack,	Montgomery,
Atwood,	Harris,	Norris,
Barnaby,	H. Haynes,	J. M. Osborn,
Cameron,	J. Haynes,	Pierson,
Childs,	Hazen,	Priest,
Clement,	N. R. Hill,	Riford,
Cochrane,	S. W. Hill,	Rood,
Congdon,	Holland,	Roof,
Crane,	Holt,	Roost,
Crofoot,	Huff,	Sumner,
Dalton,	Hughes,	Swineford,
Doty,	Kellogg,	Walker,
Edwards,	Knapp,	Walton,
Fenton,	E. R. Miller,	Webster,

Mr. Ferris,
Ferry,
Garfield,
Garrison,

Mr. N. L. Miller,
R. C. Miller,
P. Mitchell,

Mr. Wells,
White,
Speaker,

55

NAYS.

0

Mr. W. H. C. Mitchell moved to take from the table House bill No. 390, entitled

A bill to provide for the drainage and reclamation of swamp land by means of a State road and ditches from Sherman, in Wexford county, in an easterly direction, to intersect the Midland City, Houghton Lake, and Traverse Bay State road, in Missaukee county;

Which motion did not prevail.

The committee on public lands submitted the following report:

The committee on public lands, to whom was referred

A bill to provide for laying out, establishing, and constructing the Harrisville and Grand Traverse State road, and making an appropriation of State swamp lands for the construction of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

EZRA HAZEN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Riford,

The bill was laid on the table.

The committee on State affairs submitted the following report:

The committee on State affairs, to whom was referred

A bill to amend act number 16, of the session laws of 1864, entitled "An act to authorize the formation of corporations for the running and rafting of logs," as amended by act number 92, of the session laws of 1865, entitled "An act to amend

section 14, of act number 16, of the session laws of 1864, entitled 'An act to authorize the formation of corporations for the running, booming and rafting of logs,' by adding a new section thereto, to stand as section 23,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

M. M. ATWOOD, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cameron,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Montgomery offered the following:

Whereas, We have this day learned that the President of the United States has appointed, and the Senate confirmed the nomination of Hon. W. R. Bates, of this House, Register of the United States Land Office at East Saginaw, Michigan; therefore, be it

Resolved, That we, the members of the House of Representatives, of which Mr. Bates is a member, without regard to party, recognize the appointment as one eminently fit to be made, and that it meets our earnest approbation;

Which was adopted.

GENERAL ORDER.

On motion of Mr. Riford,

The House went into committee of the whole on the general order,

Mr. Holt in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills :

1. Senate bill No. 33, entitled

A bill to organize union school district No. 1, of the township of Alpena, in the county of Alpena, and to repeal section 20, of the laws of 1867, being an act to authorize the formation of union school district No. 1, in the township of Alpena, in the county of Alpena ;

2. Senate bill No. 224, entitled

A bill to provide for laying out and establishing a State road in the county of Houghton ;

3. Senate bill No. 204, entitled

A bill to amend section 1, of act No. 420, session laws of 1867, as amended by act 469, of the session laws of 1869, being an act entitled "An act to make an additional appropriation for the construction of the Midland City, Houghton Lake, and Grand Traverse Bay road," approved April 5th, 1869 ;

4. House bill No. 425, entitled

A bill to provide for laying out and digging a State ditch in the township of Lee, in the county of Calhoun, and making a grant of swamp land therefor ;

5. Senate bill No. 165, entitled

A bill to amend section 4, of act number 119, of the session laws of 1869, entitled "An act to provide for the incorporation of savings associations," approved April 5th, 1869, and to add three new sections thereto, to stand as sections 22, 23, and 24 ;

6. Senate bill No. 167, entitled

A bill to amend an act entitled "An act relative to the letting of contracts by State officers, boards of control, inspectors, or commissioners," being act 171, of session laws of 1861, approved March 15th, 1861 ;

7. House bill No. 427, entitled

A bill to amend sections 23 and 25, of chapter 72, of the revised statutes of 1846, being sections 2938 and 2940 of the compiled laws, relative to appeals from the decision of commissioners on the estates of deceased persons ;

8. Senate bill No. 150, entitled

A bill to provide for the punishment and detention of certain persons in the Detroit House of Correction, and to repeal act No. 145 of the laws of 1869, relative to the same subject ;

9. Senate bill No. 146, entitled

A bill to provide for the appointment of a board of commissioners for the general supervision of penal, pauper, and reformatory institutions, and defining their duties and powers ;

10. Senate bill No. 152, entitled

A bill to amend chapter 26 of the compiled laws, entitled " Of the regulation of ferries," by repealing sections 3 and 4 of said chapter, and by adding a new section thereto, providing for the laying out, constructing, maintaining, altering, or discontinuing of ferry landings, and for the use of highways, or such landings ;

11. Senate bill No. 20, entitled

A bill to confirm the record of letters of attorney in certain cases ;

12. Senate manuscript bill, entitled

A bill to legalize the tax and assessment rolls of the village of New Baltimore for the years A. D. 1869 and 1870, and to renew and continue in force the warrants attached to said tax and assessment rolls ;

13. House bill No. 234, entitled

A bill to amend section three, of chapter twenty-five, of the revised statutes of 1846, being section 1069, of chapter 22, of the compiled laws, relating to highways ;

14. Senate bill No. 131, entitled

A bill to amend section 25, of chapter 140, of the compiled laws, as amended by act No. 159, of the session laws of 1869, approved April 5, 1869, being an act to authorize proceedings against garnishees, and for other purposes ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have had under consideration the following entitled bills:

15. Senate bill No. 205, entitled

A bill to amend sections 34 and 66, of an act entitled "An act to incorporate the city of Coldwater," approved February 28, 1861 ;

16. House bill No. 76, entitled

A bill to provide for the better security of mechanics and other persons furnishing labor or materials for the erection, altering, repairing, beautifying, or ornamenting of buildings in the State of Michigan ;

17. Senate bill No. 175, entitled

A bill to amend section 1 of an act entitled "An act relative to laying out, altering, and discontinuing highways," approved March 15, 1861 ;

18. Senate bill No. 229, entitled

A bill to confirm and legalize the action of the board of supervisors of the county of Houghton, in consenting to the building a bridge across Portage Lake, in said county ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

19. House bill No. 428, entitled

A bill for the relief of Milo R. Campbell from the payment of five dollars an acre for certain Agricultural College lands ;

20. House bill No. 429, entitled

A bill to prevent animals from trespassing ;

Have directed their chairman to report the same back to the House, with the recommendation that they be laid on the table.

The committee of the whole have also had under consideration the following entitled bill:

21. Senate bill No. 122, entitled

A bill to amend section 1, of act No. 162, laws of 1851, being "An act to provide the furnishing of fuel and stationery for the use of the State, and also the State printing and binding," approved June 24th, 1851 ;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled joint resolution :

1. House manuscript joint resolution, entitled

Joint resolution instructing the Auditor General to discharge certain mortgages ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

The committee of the whole have also had under consideration the following entitled joint resolution :

2. Senate joint resolution No. 16, entitled

Joint resolution proposing an amendment to section 7, article 6, and section 1, article 9, of the constitution of the State, relative to the number and limits of judicial circuits, and the salaries of the judges of the circuit courts ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill :

Senate bill No. 219, entitled

A bill to amend sections 1 and 3, of act No. 76, of the session laws of 1867, being an act entitled "An act to provide for the appointment of a commissioner, to be known as the Swamp Land State Road Commissioner," approved March 21, 1867 ;

Have made some progress therein, but not having gone

through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

H. H. HOLT, *Chairman*.

Report accepted and committee discharged.

The first fourteen named bills, and first named joint resolution, were placed on the order of third reading.

On motion of Mr. Brockway,

The House concurred in the amendments made to the fifteenth, sixteenth, seventeenth, and eighteenth named bills, and second named joint resolution, by the committee, and they were placed on the order of third reading.

On motion of Mr. Ross,

The House concurred in the recommendation of the committee in regard to the twentieth named bill, and it was laid on the table.

On motion of Mr. Bates,

The nineteenth named bill was placed on the order of third reading.

Mr. Montgomery moved that the House concur in the action of the committee in regard to the twenty-first named bill.

Mr. Copley demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adsit,	Mr. H. Haynes,	Mr. Moshier,
Atwood,	J. Haynes,	Norris,
Barnaby,	Haywood,	Pattengell,
Bates,	N. R. Hill,	Pierson,
Cameron,	Holland,	Post,
Clement,	Holt,	Priest,
Climie,	Houseman,	Roof,
Cochrane,	Hoyt,	Ross,
Dalton,	Huff,	Runyan,
Doty,	Hughes,	Smith,
Edwards,	Hurlbut,	Sumner,
Fenton,	Huston,	Tobey,
C. B. Grant,	N. I. Miller,	Walker,

Mr. Gray, Harris, Hart,	Mr. Millington, Minne, Montgomery,	Mr. Webster, Wells, Speaker,	48
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NAYS.

Mr. Adam, Brockway, Brown, Chamberlain, Cherry Copley, Coulter,	Mr. Crane, Crofoot, Ferris, R. J. Grant, Green, Knapp, Lamb,	Mr. E. R. Miller, Riford, Rood, Thayer, Van Scoy, Walton, Williams,	21
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On motion of Mr. J. Haynes,

The enacting clause was laid on the table.

On motion of Mr. Brockway,

Leave was granted the committee to sit again in consideration of the last named bill.

The committee on State affairs submitted the following report:

The committee on State affairs, to whom was referred House bill No. 419, being

A bill to amend section 1. of act 115, of the session laws of 1861, entitled "An act to amend chapter 23, of the compiled laws, relative to obstructions and encroachments of highways,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

A. CAMERON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Riford,

The bill was laid on the table.

On motion of Mr. Brockway,

The House took a recess until 7:30 o'clock this evening.

EVENING SESSION.

7:30 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

The committee on State Prison submitted the following report:

The committee on State Prison, to whom was referred Senate manuscript bill, entitled

A bill to authorize the establishment of a house of correction in the county of Jackson,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HARVEY HAYNES, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, April 13, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to re-return to the House the following bill:

House bill No. 290, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Detroit, approved February 5th, 1857, as amended by the several acts amendatory thereof," and to add several sections thereto, and to repeal several sections thereof,

To which the Senate made the following amendment: "Insert in section 46, line 17, page 15, after the word 'same,' the following provisos: '*Provided*, That nothing herein contained shall be construed to authorize the inspecting, measur-

ing, weighing, or gauging of any article herein enumerated, which is to be shipped beyond the limits of this State, except at the request of the owner thereof, or of the agent having charge of the same: *And provided further*, That the common council shall not have power to require the measuring of wood or the weighing of hay, except at the request of the seller or purchaser thereof, or the agent of either of them ;' "

In which amendment the House did not concur, and upon which disagreement a conference committee has been appointed,

And to inform the House that the committee on the part of the Senate have reported to the Senate that they have been unable to agree with the committee on the part of the House in said amendment, and have been duly discharged.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The following report was submitted :

The special committee appointed on the part of the House to confer with a like committee from the Senate, to consider the question of disagreement upon amendments proposed by the Senate to House bill No. 290, respectfully report that they have had said amendments under consideration, together with the said Senate committee, and have directed me to report that they cannot recommend the said amendment as insisted upon by the Senate committee, and ask to be discharged from the further consideration of the subject.

JOHN GREUSEL,

Chairman on the part of the House.

Mr. Cochrane moved that the House concur in the amendment made to the bill by the Senate ;

Which motion did not prevail, by yeas and nays, as follows :

YEAS.

Mr. Adam,
Adsit,
Atwood.

Mr. Gorman,
Grosvenor,
Hart,

Mr. Moshier,
Phillips,
Pierson,

Mr. Childs,
Clement,
Cochrane,
Congdon,
Edwards,
Fenton,
Garrison,

Mr. Haywood,
N. R. Hill,
Holland,
Huff,
E. R. Miller,
Minne,
Montgomery,

Mr. Riford,
Rood,
Roost,
Thayer,
Vah Scoy,
White,

29

NAYS.

Mr. Andrews,
Barnaby,
Brockway,
Brown,
Cameron,
Chamberlain,
Cherry,
Climie,
Copley,
Coulter,
Crane,
Dalton,
Doty,
Ferris,
Ferry,
Garfield,
Gibson,

Mr. R. J. Grant,
Gray,
Green,
Greusel,
Harris,
H. Haynes,
J. Haynes,
Hazen,
S. W. Hill,
Holt,
Houseman,
Hoyt,
Hughes,
Hurlbut,
Huston,
Kellogg,
Knapp,

Mr. Lamb,
McGonegal,
N. L. Miller,
R. C. Miller,
Millington,
P. Mitchell,
W.H.C. Mitchell.
Norris,
Pearl,
Priest,
Runyan,
Summer,
Tobey,
Walker,
Walton,
Williams,

50

On motion of Mr. Gibson,

The bill was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 13, 1871.

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 230, entitled

A bill to provide for the appointment of a State reporter,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 13, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to re-transmit to the House the following bill:

Senate bill No. 96, entitled

A bill to revise the laws providing for the incorporation of railroad companies,

To which the Senate made sundry amendments,

And to inform the House that the Senate has concurred in said amendments, except the following:

In section 37, strike out all of line 8 after the word "law;" all of lines 9, 10, 11, 12, and line 13 to and including the word "acquired," and insert "except real property not necessary for carrying on the ordinary operations or franchises of their road: *Provided*, Only such lands granted to any railroad company shall be liable to local taxation as are or may be opposite to, and coterminous with the constructed portion and portions of said roads respectively: *And provided further*, That no such lands shall be subject to taxation until after the expiration of three years from and after the first day of April, A. D. 1871, and until after three years from the date of the certificate showing that such lands have been earned by said railroad company, after which time said lands shall be taxed as other lands;

In which amendment the Senate does not concur.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Holland moved that the House insist on the amendment;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. Huston,
Andrews,	Greusel,	Kellogg,
Atwood,	Grosvenor,	Little,
Bates,	Haack,	McGonegal,
Brockway,	Harris,	N. L. Miller,
Cameron,	Hart,	R. C. Miller,
Cherry,	H. Haynes,	Minne,
Childs,	J. Haynes,	Montgomery,
Clement,	Haywood,	C. Y. Osburn,
Climie,	Hazen,	Pearl,
Cochrane,	N. R. Hill,	Priest,
Congdon,	S. W. Hill,	Roof,
Crofoot,	Holland,	Ross,
Dalton,	Holt,	Runyan,
Doty,	Houseman,	Swineford,
Fenton,	Hoyt,	Tobey,
Garrison,	Huff,	Walker,
Gibson,	Hughes,	Webster,
C. B. Grant,	Hurlbut,	Speaker, 57

NAYS.

Mr. Adsit,	Mr. Gorman,	Mr. Post,
Barnaby,	Gray,	Riford,
Brown,	Green,	Rood,
Chamberlain,	Knapp,	Roost,
Copley,	Lamb,	Sumner,
Coulter,	E. R. Miller,	Thayer,
Crane,	P. Mitchell,	Van Scoy,
Edwards,	W.H.C. Mitchell,	Walton,
Ferris,	Moshier,	White,
Ferry,	Norris,	Williams,
Garfield,	Pierson,	32

The Speaker also announced the following:

SENATE CHAMBER, {
Lansing, April 13, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No 231, entitled

A bill to authorize coproprations of other States to engage in mining, smelting, or refining of ores or metals within this State,

And to inform the House that the Senate has amended the same by adding thereto two new sections, to stand as sections 3 and 4, and to read as follows :

SEC. 3. Every person who shall perform any labor, or furnish any material for such corporation, and every *bona fide* holder of any draft or order for the payment of money due for labor or material issued or drawn by an officer, clerk, or agent of such corporation, shall have a first lien for the amount due thereon and therefor, upon all the real and personal property of such corporation lying and being within this State, which lien shall take precedence of all debts, judgments or decrees, liens, or mortgages against such corporation, except liens accruing to this State for taxes, fines, or penalties ; and every such lien may be procured or enforced and collected out of such real and personal property, or either of the same, in the same manner, and under the same regulations, limitations and, conditions, as near as may be, as are provided by law for the enforcement and collection of liens on real and personal property of like corporations existing and established under the laws of this State.

SEC. 4. Any corporation doing business in this State under the provisions of this act, shall keep an office within the county where its business is carried on, with some person in charge, being an officer, agent, or clerk of said corporation, and service of any legal process against any corporation doing business as aforesaid, may be made on any such officer, agent, or clerk, and if neither of them can be found in the county where they are to do their business, then such service may be made by posting a true copy thereof in some conspicuous and proper place at the business office of the corporation in said county, and such service shall be as legal and effectual as though the same had been served on some one of the persons hereinbefore named ;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and

has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Swineford moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gray,	Mr. Minne,
Adams,	Green,	Montgomery,
Adsit,	Greusel,	Moshier,
Andrews,	Grosvenor.	Norris,
Atwood,	Haack,	C. Y. Osburn.
Barnaby,	Hart,	J. M. Osborn.
Bates,	H. Haynes,	Pearl,
Brockway,	J. Haynes,	Phillips,
Brown,	Haywood,	Pierson,
Cameron,	Hazen,	Post,
Cherry,	N. R. Hill,	Riford,
Childs,	S. W. Hill,	Rood,
Climie,	Holland,	Roost,
Congdon,	Holt,	Ross,
Copley,	Houseman.	Runyan,
Coulter,	Hoyt,	Sumner,
Crane,	Huff,	Swineford.
Crofoot,	Hurlbut,	Thayer,
Doty,	Kellogg,	Tobey,
Edwards,	Knapp,	Van Scoy
Fenton,	Lamb,	Walker,
Ferry,	Little,	Walton,
Garfield,	McGonegal,	Webster,
Garrison,	E. R. Miller,	Wells,
Gibson,	N. L. Miller,	White,
C. B. Grant,	R. C. Miller,	Williams.
R. J. Grant,	Millington.	Speaker.

81

NAYS.

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The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 13, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bills:

1. House bill No. 84, entitled

A bill to detach certain territory from the county of Saginaw, and attach the same to the county of Bay;

2. House bill No. 237, entitled

A bill to provide for the improvement and completion of the Mineral Range State road extension, and the Ontonagon and State line State road;

3. House bill No. 352, entitled

A bill to establish and construct a State road, to be known as the Guilford and Portsmouth State road, and making an appropriation of non-resident highway taxes for the same;

4. House bill No. 262, entitled

A bill to incorporate the village of Cheboygan;

5. House bill No. 300, entitled

A bill to provide for publishing the statistics of the State of Michigan taken by authority of the United States in the year 1870; also, for publishing the social statistics of Michigan, collected under the authority of act No. 4, of the laws passed at the extra session of the Legislature of this State, in the year 1870;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, !
Lansing, April 13, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bills:

1. House bill No. 149, entitled

A bill to amend section 17, of chapter 63, being section 1815 of the compiled laws, relative to the individual liability of stockholders in mining and manufacturing companies ;

2. House bill No. 340, entitled

A bill to provide for the re-sale of certain swamp lands sold under section 8, of act No. 31, of the session laws of 1858, being section No. 2, of act No. 106, of the session laws of 1859 ;

3. House bill No. 408, entitled

A bill to provide for the completion and improvement of the Midland and Isabella State road, and making an appropriation of non-resident highway taxes therefor ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,
Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, !
Lansing, April 13, 1871. }

To the Speaker of the House of Representatives.

SIR—I am instructed to return to the House the following bill:

House bill No. 350, entitled

A bill to provide for laying out and constructing a State road in the townships of Muzzy and Lynn, in the county of St. Clair, State of Michigan, and making an appropriation of non-resident highway taxes to aid in constructing the same, to be known as the Muzzy and Lynn State road ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The committee on public lands submitted the following report:

The committee on public lands, to whom was referred House bill No. 389, being

A bill to amend section 3, of an act entitled "An act to lay out and establish a State road from Angell's Landing (so-called), on section 28, in township 29 north, of range 8 west, in the county of Antrim, to the center of township 29 north, of range 1 west, in the county of Otsego," being act number 432, of the session laws of 1869, approved April 3, 1869,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

· EZRA HAZEN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. J. Haynes,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. Hazen,

The bill was placed on the order of third reading.

The committee on State Prison submitted the following report:

The committee on State Prison, to whom was referred House bill No. 367, entitled

A bill to amend section 124, of act 159, of the session laws of 1869, entitled "An act to provide a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Garrison :

The House concurred in the amendment made to the bill by the committee.

The question being on the passage of the bill,

The bill was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. P. Mitchell,
Adams,	Gorman,	W.H.C. Mitchell,
Adsit,	Green,	Montgomery,
Andrews,	Greusel,	Moshier,
Atwood,	Grosvenor,	Norris,
Barnaby,	Haack,	J. M. Osborn,
Bates,	Harris,	Pattengell,
Brockway,	Hart,	Pearl,
Cameron,	H. Haynes,	Phillips,
Chamberlain,	J. Haynes,	Pierson,
Cherry,	Haywood,	Post,
Childs,	Hazen,	Priest,
Clement,	N. R. Hill,	Riford,
Climie,	S. W. Hill,	Rood,
Cochrane,	Holland,	Roof,
Congdon,	Houseman,	Runyan,
Coulter,	Huff,	Sumner,
Crane,	Hurlbut,	Swineford,
Crofoot,	Huston,	Thayer,
Doty,	Kellogg,	Tobey,

Mr. Edwards,	Mr. Knapp,	Mr. Walker,	
Fenton,	Lamb,	Walton,	
Ferris,	Little,	Webster,	
Ferry,	E. R. Miller,	Wells,	
Garfield,	N. L. Miller,	Williams,	
Garrison,	R. C. Miller,	Speaker,	
Gibson,	Millington,		80

NAYS.

Mr. C. B. Grant,	Mr. C. Y. Osburn,	Mr. Van Scoy,	
Hoyt,	Roost,		5

The question being on agreeing to the title,

On motion of Mr. Hurlbut,

The title was amended by striking out the word "amend," and inserting the word "repeal" in lieu thereof.

The title, as amended, was then agreed to.

The following report was submitted:

The special committee appointed on the part of the House to confer with a like committee on the part of the Senate, in regard to the disagreement of the two Houses on Senate bill No. 63, entitled

A bill to amend section 457 of the compiled laws, relative to notaries public,

Respectfully report that they have had the same under consideration, together with the said Senate committee, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and ask to be discharged from the further consideration of the subject.

A. B. RIFORD,

Chairman on the part of the House.

Report accepted and committee discharged.

Mr. Riford moved that the House concur in the recommendations of the committee of conference;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. Millington,
Adams,	Gorman,	Minne,
Adsit,	Greusel,	P. Mitchell,

Mr. Andrews,	Mr. Grosvenor,	Mr. W.H.C. Mitchell.
Bates,	Haack,	C. Y. Osburn,
Brockway,	Harris,	J. M. Osborn.
Brown,	H. Haynes.	Pattengell,
Cameron,	J. Haynes,	Pearl,
Chamberlain,	Haywood,	Pierson,
Cherry,	Hazen,	Post,
Childs,	N. R. Hill,	Priest.
Clement,	S. W. Hill,	Riford,
Climie,	Holland,	Rood,
Cochrane.	Houseman.	Roof,
Copley,	Hoyt,	Roost,
Coulter,	Huff,	Ross,
Crane,	Hughes,	Sumner,
Crofoot,	Hurlbut,	Swineford.
Doty,	Huston,	Thayer,
Edwards,	Kellogg,	Tobey,
Fenton,	Knapp,	Van Scoy,
Ferris,	Lamb,	Walton,
Ferry,	Little,	Walker,
Garfield,	McGonegal,	Webster,
Garrison,	E. R. Miller,	Wells,
Gibson,	N. L. Miller,	Williams,
C. B. Grant,	R. C. Miller,	Speaker, 81

NAYS.

Mr. Atwood, Mr. Montgomery, 2

The following report was submitted :

The special committee to whom was referred House bill No. 418, entitled

A bill to repeal act No. 145, of the session laws of 1863, entitled "An act to provide for the sale of swamp and primary school lands in the Mineral Range of the Upper Peninsula, heretofore withheld from market as mineral lands," approved March 19, 1863,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

I. R. GROSVENOR, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cameron,
The bill was laid on the table.

Mr. Pattengell offered the following :

Resolved, That the Clerk of this House be and is hereby authorized to forward to the members and officers of this House, such copies of the daily journal and such other matter as they are hereafter entitled to receive :

Which was adopted.

On motion of Mr. Brockway,
The House took up the order of

THIRD READING OF BILLS.

House bill No. 406, entitled

A bill to provide an additional sum for the payment of officers and members of the Legislature for the year one thousand eight hundred and seventy-one,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. C. B. Grant,	Mr. P. Mitchell,
Adams,	R. J. Grant,	Moshier,
Adsit,	Gorman,	Norris,
Atwood,	Greusel,	C. Y. Osburn,
Bates,	Grosvenor,	J. M. Osborn.
Brockway,	Haack,	Pattengell,
Cameron,	Harris,	Pearl,
Chamberlain,	Hart,	Phillips,
Cherry,	H. Haynes,	Pierson,
Childs	J. Haynes,	Post,
Clement,	Haywood,	Priest,
Climic,	Hazen,	Rood,
Cochrane,	N. R. Hill,	Roost,
Congdon,	S. W. Hill,	Ross,
Copley,	Holland,	Sumner,
Coulter,	Holt,	Swineford,
Crane,	Huff,	Thayer,
Crofoot,	Hurlbut,	Tobey,
Dalton,	Knapp,	Van Scoy,
Doty,	Lamb,	Walker,
Edwards,	Little,	Walton,
Fenton,	E. R. Miller,	Webster,

Mr. Ferris,
Ferry,
Garfield,
Garrison,
Gibson,

Mr. N. L. Miller,
R. C. Miller,
Millington,
Minne,

Mr. Wells,
White,
Williams,
Speaker,

79

NAYS.

Mr. Gray,
Houseman,

Mr. Hoyt,
McGonegal,

Mr. W.H.C. Mitchell,
Montgomery, 6

Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 423, entitled

A bill to amend sections 4 and 13, of article 2, of the charter of the village of Midland City,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Adsit,
Atwood,
Brockway,
Brown,
Cameron,
Chamberlain,
Cherry,
Childs,
Clement,
Climie,
Cochrane,
Congdon,
Copley,
Coulter,
Crane,
Crofoot,
Dalton,
Doty,
Edwards,
Fenton,
Ferry,
Garfield,

Mr. Gorman,
Gray,
Green,
Grensel,
Grosvenor,
Haack,
H. Haynes,
Haywood,
Hazen,
N. R. Hill,
S. W. Hill,
Holland,
Holt,
Houseman,
Huff,
Hughes,
Kellogg,
Knapp,
Lamb,
Little,
McGonegal,
E. R. Miller,
N. L. Miller,
R. C. Miller,

Mr. W.H.C. Mitchell,
Montgomery,
Moshier,
Norris,
C. Y. Osburn,
J. M. Osborn,
Phillips,
Pierson,
Post,
Priest,
Rood,
Roof,
Roost,
Ross,
Runyan,
Sumner,
Swineford,
Thayer,
Tobey,
Van Scoy,
Walker,
Walton,
Webster,
Wells,

Mr. Garrison, Gibson, C. B. Grant, R. J. Grant,	Mr. Millington, Minne, P. Mitchell,	Mr. White, Williams, Speaker,	82
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NAYS.

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The question being on agreeing to the title,

On motion of Mr. J. Haynes,

The title was amended by striking out the words "four and thirteen," and inserting "11, 15, 26, and 29" in lieu thereof.

The title, as amended, was then agreed to.

On motion of Mr. J. Haynes,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 363, entitled

A bill to amend section 1, of act number 467, of the laws of 1869, entitled "An act to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches from Tawas Bay, in Iosco county, to the west line of said county, to the intersection of the Midland and Traverse Bay State road,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams, Adsit, Bates, Brockway, Brown, Chamberlain, Cherry, Childs, Congdon, Copley, Coulter, Crane, Dalton, Doty, Edwards,	Mr. Harris, Hart, H. Haynes, J. Haynes, Haywood, Hazen, N. R. Hill, S. W. Hill, Holland, Holt, Houseman, Hoyt, Huff, Hughes, Hurlbut,	Mr. Montgomery, Moshier, Norris, C. Y. Osburn, J. M. Osborn, Pattengell, Pearl, Phillips, Pierson, Post, Priest, Rood, Roof, Roost, Ross,
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Mr. Fenton,	Mr. Kellogg,	Mr. Runyan,
Ferris,	Knapp,	Sumner,
Ferry,	Lamb,	Thayer,
Garfield,	Little,	Tobey,
Garrison,	McGonegal,	Van Scoy,
Gibson,	E. R. Miller,	Walker,
C. B. Grant,	N. L. Miller,	Walton,
R. J. Grant,	R. C. Miller,	Wells,
Gray,	Millington,	White,
Greusel,	Minne,	Speaker,
Haack,	P. Mitchell,	

77

NAYS.

Mr. Gorman,

1

Title agreed to.

On motion of Mr. J. Haynes,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 53, entitled

A bill to provide for the payment of the salaries of the State officers,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Lamb moved to amend the bill by adding to line 11, section 2, the following: "Nor shall any money be drawn from the State treasury by any officer named in this bill, or by his deputies, clerks, or employees, in payment for any notarial services or attestations performed or executed by them;"

Which was not agreed to.

Mr. Brockway moved to refer the bill to the committee on the judiciary, with instructions to amend the bill by striking out of lines 16 and 18, section 1, the words "eleven hundred," and inserting "one thousand" in lieu thereof;

Which motion prevailed.

Senate joint resolution No. 17, entitled

Joint resolution to authorize the Board of State Auditors to audit and allow the account of L. M. S. Smith, for printing, for the use of the Supreme Court, the pleadings and testimony

in the case of the State of Michigan, *ex. rel.* Frank H. White
vs. Hermanus Doesburg,

Was read a third time and passed, a majority of all the mem-
 bers elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. R. C. Miller,
Adams,	Gorman,	Millington,
Adsit,	Gray,	Minne,
Andrews,	Green,	W.H.C. Mitchell.
Brockway,	Greusel,	Montgomery,
Brown,	Grosvenor,	Moshier,
Cameron,	Haack,	Norris,
Chamberlain,	Harris,	C. Y. Osburn,
Cherry,	Hart,	J. M. Osborn,
Clement,	H. Haynes,	Pierson,
Cochrane,	J. Haynes,	Priest,
Congdon,	Haywood,	Riford,
Copley,	Hazen,	Rood,
Coulter,	N. R. Hill,	Ross,
Crane,	Holland,	Runyan,
Crofoot,	Holt,	Sumner,
Dalton,	Houseman,	Thayer,
Doty,	Hoyt,	Tobey,
Edwards,	Huff,	Van Scoy,
Fenton,	Hughes,	Walker,
Ferris,	Kellogg,	Walton,
Ferry,	Knapp,	Webster,
Garfield,	Lamb,	Wells,
Garrison,	Little,	White,
Gibson,	McGonegal,	Williams,
C. B. Grant,	E. R. Miller,	Speaker,

78

NAYS.

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Title and preamble agreed to.

The committee on judiciary submitted the following report :

The committee on judiciary, to whom was referred Senate
 bill No. 53, being

A bill to provide for the payment of the salaries of the
 State officers,

With instructions, respectfully report that they have had the
 same under consideration, and have directed me to report the
 same back to the House, amended as instructed, recommending

that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Brockway,

The House concurred in the amendments made to the bill by the committee.

The question being on the passage of the bill,

Mr. Andrews moved to amend the bill, by striking out of lines 16 and 17, section 1, the words "for the salary of the clerk of the Attorney General, one thousand dollars ;"

Which was not agreed to.

Mr. Atwood moved to amend the bill by adding the following, to stand as sections 3 and 4 :

"SEC. 3. In each of the offices mentioned in the foregoing section, a suitable book shall be provided for the entry of all fees collected for any of the services mentioned in said section ; and it shall not be lawful for either of said State officers, deputies, clerks, or employes, to receive any such fee or other payment for any service rendered at any time in either of said offices, without giving therefor, to the person or persons paying such fee, a receipt signed by the State Treasurer, and countersigned by the Auditor General.

"SEC. 4. It shall not be lawful for any State officer, deputy, book-keeper, clerk, or other employee, to purchase or sell, as principal or agent, or to be directly or indirectly interested in any purchase or sale of swamp land warrants or scrip, or lands subject to forfeiture for the non-payment of interest thereon ; and any such person violating the provisions of this act shall be deemed guilty of malfeasance in office, and be proceeded against as provided for by the general laws of this State."

Mr. Atwood demanded the yeas and nays, on agreeing to the amendment.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows :

YEAS.

Mr. Adsit,	Mr. Gorman,	Mr. McGonegal,
Andrews,	Green,	R. C. Miller,
Atwood,	Grosvenor,	Millington,
Brockway,	Haack,	Moshier,
Brown,	Hart,	Pierson,
Chamberlain,	H. Haynes,	Rood,
Clement,	Haywood,	Roof,
Cochrane,	N. R. Hill,	Roost,
Congdon,	Houseman,	Thayer,
Copley,	Hughes,	Van Scoy,
Doty,	Hurlbut,	Walker,
Edwards,	Kellogg,	Webster,
Garfield,	Knapp,	White,
Gillam,	Little,	Williams, 42

NAYS.

Mr. Adam,	Mr. Gray,	Mr. Montgomery,
Adams,	Greusel,	Norris,
Barnaby,	Harris,	C. Y. Osburn,
Cameron,	J. Haynes,	J. M. Osborn,
Cherry,	Hazen,	Pattengell,
Climie,	S. W. Hill,	Phillips,
Coulter,	Holland,	Priest,
Crofoot,	Holt,	Riford,
Dalton,	Hoyt,	Ross,
Fenton,	Huff,	Runyan,
Ferris,	Huston,	Swineford,
Ferry,	Lamb,	Tobey,
Garrison,	E. R. Miller,	Walton,
Gibson,	N. L. Miller,	Wells,
C. B. Grant,	Minne,	Speaker, 47
R. J. Grant,	P. Mitchell,	

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Green,	Mr. Minne,
Adams,	Greusel,	P. Mitchell,
Adsit,	Grosvenor,	Montgomery,
Andrews,	Haack,	Moshier,
Barnaby,	Harris,	Norris,
Brockway,	Hart,	C. Y. Osburn.

Mr. Brown,	Mr. H. Haynes,	Mr. J. M. Osborn,
Cameron,	J. Haynes,	Pattengell,
Chamberlain,	Haywood,	Phillips,
Cherry,	Hazen,	Pierson,
Climic,	N. R. Hill,	Priest,
Cochrane,	S. W. Hill,	Riford,
Copley,	Holland,	Rood,
Coulter,	Holt,	Roof,
Crofoot,	Houseman,	Roost,
Doty,	Hoyt,	Ross,
Edwards,	Huff,	Runyan,
Fenton,	Hughes,	Swineford,
Ferris,	Huston,	Thayer,
Ferry,	Knapp,	Tobey,
Garfield,	Lamb,	Van Scoy,
Garrison,	Little,	Walker,
Gibson,	McGonegal,	Walton,
Gillam,	E. R. Miller,	Wells,
C. B. Grant,	N. L. Miller,	White,
R. J. Grant,	R. C. Miller,	Williams,
Gorman,	Millington,	Speaker.
Gray,		

82

NAYS.

Mr. Atwood,	Mr. Congdon,	Mr. Kellogg,
Clement,	Dalton,	Webster,

6

Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 33, entitled

A bill to organize union school district No. 1, of the township of Alpena, in the county of Alpena, and to repeal section 20, of the laws of 1867, being "An act to authorize the formation of union school district No. 1, in the township of Alpena, in the county of Alpena,"

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Coulter,

The bill was laid on the table.

MESSAGE FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,)
Lansing, April 13, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill :

Senate bill No. 96, entitled

A bill to revise the laws permitting the incorporation of railroad companies,

Which the House amended as follows :

Section 37, strike out all of line 8, after the word "law ;" all of lines 9, 10, 11, 12, and line 13 to and including the word "acquired," and insert "except real property not necessary for carrying on the ordinary operations or franchises of their road : *Provided*, Only such lands granted to any railroad company shall be liable to local taxation as are or may be opposite to, and coterminous with the constructed portion and portions of said roads respectively: *And provided further*, That no such lands shall be subject to taxation until after the expiration of three years from and after the first day of April, A. D. 1871, and until after three years from the date of the certificate showing that such lands have been earned by said railroad company, after which time said lands shall be taxed as other lands;"

In which amendment the Senate refused to concur, and upon which the House insists, and to inform the House that the Senate insists on its disagreement, and requests a committee of conference, to consist of three from each House. I am directed to inform the House that the Senate has appointed Senators Moffatt, Wheeler, and Emerson as members of such committee on the part of the Senate.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Holland moved that a committee of five be appointed on the part of the House, to confer with the committee appointed on the part of the Senate, on the disagreement of the two Houses ;

Which motion prevailed.

The Speaker announced as such committee, Messrs. Holland, Hurlbut, Hoyt, Gray, and Adam.

House bill No. 404, entitled

A bill to provide a tax for the expenses of the State Government,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Holt moved to amend the bill by inserting the words "three-fourths of," before the word "one," in line 1, section 1:

Which motion prevailed.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam.	Mr. Gorman,	Mr. R. C. Miller,
Adams.	Green,	Millington,
Adsit,	Greusel,	Minne,
Andrews.	Grosvenor,	P. Mitchell,
Atwood.	Haack.	W.H.C. Mitchell.
Bates,	Harris,	Montgomery.
Brockway,	Hart,	Norris,
Brown,	H. Haynes.	C. Y. Osburn.
Cameron.	J. Haynes,	J. M. Osborn,
Chamberlain,	Hazen,	Pattengell,
Cherry,	N. R. Hill.	Phillips,
Clement.	S. W. Hill.	Pierson.
Climie,	Holland,	Post,
Cochrane,	Holt,	Priest,
Congdon.	Houseman.	Rood,
Copley,	Hoyt.	Roof,
Coulter.	Huff,	Roost,
Crane,	Hughes,	Ross,
Crofoot,	Hurlbut,	Runyan.
Doty,	Huston,	Van Scoy,
Edwards,	Kellogg.	Walker,
Ferris,	Knapp,	Walton,
Ferry,	Lamb,	Webster,

Mr. Garfield,	Mr. Little,	Mr. Wells,	
Garrison,	McGonegal,	White,	
Gibson,	E. R. Miller,	Williams,	
Gillam,	N. L. Miller,	Speaker,	
C. B. Grant,			82
	NAYS.		0

Title agreed to.

Senate bill No. 205, entitled

A bill to amend sections 34 and 66, of an act entitled "An act to incorporate the city of Coldwater," approved February 28, 1861,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. Millington,	
Adams,	C. B. Grant.	Minne,	
Adsit,	R. J. Grant,	P. Mitchell,	
Andrews.	Gray,	W.H.C. Mitchell,	
Atwood.	Green,	Montgomery,	
Bates,	Grosvenor	Norris,	
Brockway.	Haack,	C. Y. Osburn.	
Brown,	Hart,	J. M. Osborn,	
Cameron,	Hazen,	Pattengell,	
Chamberlain.	N. R. Hill,	Phillips,	
Cherry,	Holland,	Post,	
Clement.	Holt,	Priest,	
Climie,	Houseman.	Rood,	
Cochrane.	Hoyt,	Roost,	
Congdon.	Huff,	Ross,	
Coulter,	Hughes,	Runyan,	
Crane,	Hurlbut.	Tobey,	
Crofoot.	Kellogg,	Van Scoy,	
Doty,	Knapp,	Walker,	
Edwards.	Lamb,	Walton,	
Ferris.	Little,	Wells,	
Ferry,	McGonegal,	White,	
Garfield,	E. R. Miller,	Williams,	
Garrison,	R. C. Miller.	Speaker,	
Gibson,			73
	NAYS.		0

The question being on agreeing to the title,

On motion of Mr. H. Haynes,

The title was amended by inserting, after the word "sections," the words "four, seven, ten, twenty-seven," and by striking out "sixty-six" and inserting "forty-eight" in lieu thereof."

The title, as amended, was then agreed to.

Senate bill No. 224, entitled

A bill to provide for laying out and establishing a State road in the county of Houghton,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Harris,	Mr. Montgomery,
Adsit,	Hart,	Norris,
Andrews,	J. Haynes,	C. Y. Osburn,
Atwood,	Haywood,	J. M. Osborn,
Bates,	Hazen,	Pattengell.
Brockway,	N. R. Hill,	Pearl,
Brown,	S. W. Hill,	Phillips,
Cameron,	Holland,	Pierson,
Climie,	Holt,	Post,
Congdon,	Houseman,	Priest,
Copley,	Hoyt,	Rood,
Crofoot,	Huff,	Roof,
Doty,	Hughes,	Ross,
Edwards,	Huston,	Runyan,
Fenton,	Lamb,	Thayer,
Ferris,	Little,	Tobey,
Ferry,	McGonegal,	Van Scoy,
Garrison,	E. R. Miller,	Walker,
Gibson,	N. L. Miller,	Walton,
Gillam,	R. C. Miller,	Webster,
C. B. Grant,	Millington,	Wells,
Greusel,	Minne,	White,
Grosvenor,	P. Mitchell,	Speaker.
Haack,	W.H.C. Mitchell,	

71

NAYS.

Mr. Adam,	Mr. Coulter,	Mr. Gorman,
Chamberlain,	Crane,	H. Haynes,
Cherry,	Garfield,	Roost,
Clement,	R. J. Grant,	Williams.

12

Title agreed to.

On motion of Mr. Holland,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 204, entitled

A bill to amend section 1, of act No. 420, session laws of 1867, as amended by act 469, of the session laws of 1869, being an act entitled "An act to make an additional appropriation for the construction of the Midland City, Houghton Lake, and Grand Traverse Bay road," approved April 5, 1869,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Bates,
Brockway,
Brown,
Cochrane,
Copley
Doty,
Gibson,
Gray,
Grosvenor,
Haack,
Hart,
H. Haynes,
J. Haynes,
Haywood,
Hazen.

Mr. N. R. Hill,
S. W. Hill,
Holland,
Hoyt,
Huff,
Hurlbut,
Huston,
Knapp,
McGonegal,
N. L. Miller,
R. C. Miller,
Millington,
W.H.C. Mitchell.
Montgomery,

Mr. Norris,
C. Y. Osburn,
J. M. Osborn,
Phillips,
Pierson,
Priest,
Rood,
Roof,
Runyan,
Thayer,
Webster,
Wells,
White,
Speaker,

43

NAYS.

Mr. Adam,
Adsit,
Andrews,
Cameron,
Chamberlain,
Cherry,
Clement,
Climie,
Congdon,
Coulter,
Crane,
Crofoot,
Dalton,

Mr. Edwards,
Fenton,
Ferris,
Ferry,
Garfield,
Garrison,
Gillam,
R. J. Grant,
Gorman,
Green,
Greusel,
Houseman,
Hughes,

Mr. Lamb,
E. R. Miller,
Minne,
P. Mitchell,
Pattengell,
Post,
Roost,
Ross,
Tobey,
Van Scoy,
Walker,
Walton,
Williams,

39

Mr. R. J. Grant moved to reconsider the vote by which the House refused to pass the bill.

Mr. Ferris moved to lay the motion on the table :

Which motion did not prevail.

The motion to reconsider then prevailed.

On motion of Mr. R. J. Grant,

The bill was laid on the table.

House bill No. 425, entitled

A bill to provide for laying out and digging a State ditch in the township of Lee, in the county of Calhoun, and making a grant of swamp land therefor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Greusel,	Mr. Millington,
Adsit,	Grosvenor.	P. Mitchell,
Andrews,	Haack,	W.H.C. Mitchell.
Atwood,	Harris,	Montgomery.
Bates,	Hart,	Norris,
Brockway,	J. Haynes,	C. Y. Osburn.
Brown,	Haywood,	J. M. Osborn.
Clement,	Hazen,	Priest,
Climie,	S. W. Hill,	Rood,
Cochrane.	Holland,	Roof,
Copley,	Houseman,	Roost,
Coulter,	Hoyt,	Runyan,
Dalton,	Huff	Swineford,
Edwards,	Hughes,	Thayer,
Fenton,	Hurlbut,	Tobey,
Ferris,	Huston,	Walker,
Garfield,	Knapp,	Webster.
Gibson,	McGonegal,	Wells,
R. J. Grant,	R. C. Miller.	Speaker,
Green,		

38

NAYS.

Mr. Adam,	Mr. Gillam,	Mr. Pearl,
Cameron,	Gorman,	Phillips,
Chamberlain,	Gray,	Pierson,
Cherry,	H. Haynes,	Post,
Congdon,	N. R. Hill.	Ross,
Crane,	Lamb,	Van Scoy.

Mr. Crofoot, Ferry, Garrison,	Mr. E. R. Miller, Pattengell,	Mr. Walton, Williams,
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25

Title agreed to.

On motion of Mr. Brockway,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 165, entitled

A bill to amend section 4, of act No. 119, of the session laws of 1869, entitled "An act to provide for the incorporation of savings associations," approved April 5, 1869, and to add three new sections thereto, to stand as sections 22, 23, and 24,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam, Adsit, Andrews, Bates, Brockway, Brown, Cameron, Chamberlain, Cherry, Clement, Climie, Cochrane, Copley, Coulter, Crane, Edwards, Fenton, Ferris, Ferry, Garfield, Garrison, Gillam, C. B. Grant.	Mr. Gorman, Gray, Green, Grensel, Haack, Harris, Hart, H. Haynes, J. Haynes, Haywood, Hazen, Holland, Houseman, Huff, Hughes, Hurlbut, Huston, Knapp, Lamb, E. R. Miller, Millington, Minne,	Mr. W.H.C. Mitchell, Montgomery, Norris, C. Y. Osburn, J. M. Osborn, Pattengell, Pearl, Post, Priest, Rood, Roof, Roost, Ross, Runyan, Swineford, Tobey, Van Scoy, Walton, Webster, Wells, Williams, Speaker,
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67

NAYS.

Mr. Gibson,	Mr. Grosvenor,
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2

The question being on agreeing to the title.

On motion of Mr. J. M. Osborn,

The title was amended by striking out "and," between "23" and "24," and by adding after "24," "25 and 26;" also, by striking out after the word "add" the word "three," and inserting the word "five" in lieu thereof.

The title, as amended, was then agreed to.

Mr. Hoyt moved that the House adjourn;

Which motion did not prevail.

House manuscript joint resolution, entitled

Joint resolution instructing the Auditor General to discharge certain mortgages,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant.	Mr. Minne,
Adams.	Gorman.	W.H.C. Mitchell,
Adsit,	Gray,	Montgomery,
Andrews.	Green,	Norris,
Bates,	Greusel,	C. Y. Osburn,
Brockway.	Grosvenor.	J. M. Osborn,
Brown,	Haack,	Pattengell,
Cameron,	Harris,	Pearl,
Chamberlain,	Hart,	Phillips,
Cherry,	H. Haynes,	Pierson,
Clement,	J. Haynes.	Post,
Climie,	Haywood,	Priest,
Cochrane.	Holland,	Riford,
Copley,	Houseman,	Rood,
Coulter.	Hoyt,	Roof,
Crane,	Huff,	Roost.
Crofoot,	Hughes,	Ross,
Doty,	Hurlbut,	Runyan,
Edwards.	Huston,	Swineford,
Fenton,	Knapp,	Tobey,
Ferris,	Lamb,	Van Scoy,
Ferry,	McGonegal,	Walton,
Garfield.	E. R. Miller,	Webster,
Garrison,	N. L. Miller,	Wells,
Gillam,	R. O. Miller,	Williams,
C. B. Grant,	Millington,	Speaker,

NAYS.

Mr. Gibson,

1

Title and preamble agreed to.

On motion of Mr. Roof,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 167, entitled

A bill to amend an act entitled "An act relative to the letting of contracts by State officers, boards of control, inspectors or commissioners," being act 171, of session laws of 1861, approved March 15, 1861,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. Minne,
Adama,	Gorman,	W.H.C. Mitchell,
Adsit,	Gray,	Montgomery,
Andrews,	Green,	Norris,
Brockway,	Greusel,	C. Y. Osburn,
Brown,	Grosvenor,	J. M. Osborn,
Cameron,	Haack,	Pattengell,
Chamberlain.	Harris,	Phillips,
Cherry,	H. Haynes,	Pierson,
Clement,	J. Haynes,	Post,
Climie,	Haywood,	Priest,
Cochrane,	Hazen,	Riford,
Copley,	Holland,	Rood,
Coulter,	Holt,	Roof,
Crane,	Houseman,	Roost,
Crofoot,	Hoyt,	Ross,
Doty,	Huff,	Runyan,
Edwards.	Hughes,	Swineford,
Ferris,	Knapp,	Tobey,
Ferry,	Lamb,	Van Scoy,
Garfield,	McGonegal,	Walton,
Garrison,	E. R. Miller,	Webster,
Gibson,	N. L. Miller,	Wells,
Gillam,	R. O. Miller,	Williams,
C. B. Grant,	Millington,	Speaker,

75

NAYS.

0

Title agreed to.

On motion of Mr. C. B. Grant,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No, 427, entitled

A bill to amend sections 23 and 25, of chapter 72, of the revised statutes of 1846, being sections 2938 and 2940 of the compiled laws, relative to appeals from the decision of commissioners on the estates of deceased persons,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. C. B. Grant,	Mr. Millington,
Adams,	R. J. Grant.	Minne,
Adsit,	Gorman,	W.H.C. Mitchell,
Andrews,	Gray,	Montgomery.
Bates,	Green,	Norris,
Brockway,	Greusel,	C. Y. Osburn.
Brown,	Grosvenor,	J. M. Osborn.
Cameron,	Haack,	Pattengell.
Chamberlain,	Harris,	Phillips,
Cherry,	J. Haynes,	Pierson.
Clement,	Haywood,	Post,
Climie,	Holland,	Priest,
Cochrane,	Holt,	Rood,
Copley,	Houseman,	Roof,
Coulter,	Hoyt,	Roost,
Crane,	Huff,	Ross,
Crofoot,	Hughes,	Runyan,
Doty,	Hurlbut,	Swineford.
Edwards,	Huston,	Van Scoy,
Ferris,	Knapp,	Walton,
Ferry,	Little,	Webster.
Garfield,	McGonegal,	Wells,
Garrison,	E. R. Miller,	Williams.
Gibson,	R. C. Miller,	Speaker,
Gillam,		

73

0

NAYS.

Title agreed to.

On motion of Mr. C. B. Grant,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Brown moved that the House adjourn ;

Which motion did not prevail.

House bill No. 76, entitled

A bill to provide for the better security of mechanics and other persons furnishing labor or materials for the erection, altering, repairing, beautifying, or ornamenting of buildings in the State of Michigan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Garfield,	Mr. Huston,
Adsit,	Garrison,	Lamb,
Andrews,	Gillam,	R. C. Miller,
Atwood,	C. B. Grant,	Millington,
Bates,	R. J. Grant,	Minne,
Brockway,	Gorman,	W.H.C. Mitchell,
Brown,	Gray,	Montgomery,
Chamberlain,	Greusel,	Moshier,
Cherry,	Haack,	C. Y. Osburn,
Clement,	Harris,	Phillips,
Climie,	Hart,	Pierson,
Cochrane,	Haywood,	Post,
Copley,	Hazen,	Roof,
Crofoot,	S. W. Hill,	Roost,
Dalton,	Holland,	Runyan,
Doty,	Holt,	Van Scoy,
Edwards,	Houseman,	Webster,
Fenton,	Hughes,	Williams,
Ferris,	Hurlbut,	Speaker, 57

NAYS.

Mr. Adam,	Mr. H. Haynes,	Mr. Norris,
Cameron,	J. Haynes,	J. M. Osborn,
Coulter,	Hoyt,	Pattengell,
Crane,	Huff,	Priest,
Ferry,	Knapp,	Rood,
Gibson,	McGonegal,	Walton,
Green,	E. R. Miller,	Wells,
Grosvenor,	N. L. Miller,	23

Title agreed to.

On motion of Mr. Holt,

The bill was ordered printed.

Senate bill No. 146, entitled

A bill to provide for the appointment of a board of commissioners for the general supervision of penal, pauper, and reformatory institutions, and defining their duties and powers,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. R. C. Miller,
Adams,	C. B. Grant.	Minne,
Adsit,	Green,	W.H.C. Mitchell,
Andrews,	Grensel,	Montgomery,
Atwood,	Grosvenor,	Norris,
Bates,	Haack,	C. Y. Osburn,
Brown,	Harris,	J. M. Osborn,
Cameron,	Hart,	Phillips,
Chamberlain.	H. Haynes,	Pierson,
Cherry,	Haywood,	Post,
Climie,	S. W. Hill,	Priest,
Cochrane,	Holland,	Rood,
Copley,	Houseman,	Roof,
Crane,	Huff,	Roost,
Crofoot,	Hughes,	Runyan,
Dalton,	Hurlbut,	Van Scoy,
Doty,	Huston,	Walton,
Edwards,	Knapp,	Webster,
Ferris,	Lamb,	Wells,
Garrison,	McGonegal,	Williams,
Gibson,	E. R. Miller,	Speaker, 63

NAYS.

Mr. Clement,	Mr. R. J. Grant.	Mr. Hoyt,
Fenton,	Hazen,	N. L. Miller,
Ferry,	N. R. Hill,	Moshier,
Garfield,		10

Title agreed to.

On motion of Mr. Fenton,

The House adjourned.

Lansing, Friday, April 14, 1871.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Hickox.

Roll called: quorum present.

Mr. Climie asked and obtained leave of absence for Mr. Tobey indefinitely.

Mr. Cochrane moved to take from the table House bill No. 290, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Detroit," approved February 5, 1857, as amended by the several acts amendatory thereof, and to add several sections thereto, and to repeal several sections thereof;

Which motion prevailed.

Mr. Cochrane moved that a second committee of conference be appointed on the part of the House, to act with a like committee on the part of the Senate, in regard to the disagreement existing between the two Houses on the amendments made to the bill by the Senate;

Which motion prevailed.

The Speaker announced as such committee, Messrs. Cochrane, McGonegal, J. M. Osborn, Hughes, and Minne.

Mr. Huston moved to discharge the committee of the whole from the further consideration of House bill No. 402, entitled

A bill to amend section 3, of act No. 117, of the session laws of 1859, being an act entitled "An act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches," and to add a new section thereto, to stand as section 23;

Which motion prevailed.

Mr. Huston moved to refer the bill to the committee on public lands, with the following instructions:

First—Amend the bill so as to provide for two commissioners, to be paid at the rate of \$1,000 a year, the same to be allowed by the Board of State Auditors, on a verified state-

ment under oath ; one commissioner to be in the northwest part of the State, the other from the northeast part of the State.

Second—Amend the bill so as to place the whole of the grant of swamp lands under the control of the State Swamp Land Board of Control.

Third—Add to section 10 the following: “But nothing contained in this act shall be construed as authorizing the appropriation of any lands in the Upper Peninsula to aid in constructing roads in the Lower Peninsula, or in any way impairing the powers of the Swamp Land State Road Commissioner of the Upper Peninsula.

On motion of Mr. Riford,

The instructions were amended so as to provide that the Governor may appoint “not to exceed two commissioners.”

Mr. Grosvenor moved to amend the motion so as to refer the bill to the committee on State affairs.

Which was agreed to.

Mr. J. Haynes asked a division of the question.

The question being taken on the instructions,

The motion did not prevail.

The question being on referring to the committee on State affairs,

The motion prevailed.

Mr. Lamb called the attention of the House to what he deemed an error in the journal of yesterday. The journal shows that the amendment offered by him to Senate bill No. 53, entitled

A bill to provide for the payment of the salaries of the State officers,

Was not agreed to.

The amendment is as follows: Add to line 11, section 2. the following: “Nor shall any money be drawn from the State treasury by any officer named in this bill, or by his deputies, clerks, or employees, in payment for any notarial services or attestations performed or executed by them.”

Mr. C. B. Grant moved that the journal of yesterday be corrected so as to show that the above amendment was agreed to.

Mr. Holt moved to lay the motion on the table ;

Which motion was withdrawn.

Mr. Hart moved that there be a call of the House ;

Which motion did not prevail.

Mr. Lamb demanded the yeas and nays ;

The demand was seconded, and the motion to amend the journal prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Gillam,	Mr. R. C. Miller,
Adsit,	C. B. Grant.	Millington,
Andrews,	Gorman,	Minne,
Atwood,	Green,	P. Mitchell,
Barnaby,	Greusel,	W.H.C.Mitchell.
Brockway.	Grosvenor,	Moshier,
Brown,	Haack,	J. M. Osborn,
Cameron,	Harris,	Pierson,
Chamberlain.	Hart,	Priest,
Cherry,	H. Haynes.	Ross,
Childs,	Haywood,	Runyan.
Clement.	Hazen,	Smith,
Climie,	N. R. Hill,	Sumner,
Cochrane.	Huff,	Swineford,
Congdon.	Hughes,	Thayer,
Copley,	Huston,	Van Scoy.
Coulter,	Kellogg,	Walker,
Dalton.	Knapp,	Walton,
Doty,	Lamb,	Webster,
Edwards.	Little,	Wells,
Ferris,	McGonegal,	White,
Garfield.	E. R. Miller.	Williams,
Gibson.	N. L. Miller.	

68

NAYS.

Mr. Bates,	Mr. Holt,	Mr. Pattengell,
Crane,	Montgomery,	Phillips,
Crofoot.	Norris,	Post,
R. J. Grant.	C. Y. Osburn.	Roost,
J. Haynes,		

13

Mr. C. B. Grant moved to take from the table Senate bill No. 172, entitled

A bill to amend section 1813, being section 15, of chapter 63, of the compiled laws, as amended by an act entitled "An act to amend section 1813, being section 15, of chapter 63, of the compiled laws," approved February 5, 1859;

Which motion prevailed.

The question being on the passage of the bill,

The bill was read a third time, and, pending the taking of the vote thereon,

Mr. C. B. Grant moved to amend the bill by inserting in line 4, section 1, after the figures "1859," the words "relating to the formation of mining and manufacturing companies:"

Which motion prevailed.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Gibson,	Mr. Millington,
Adsit,	Gillam,	Montgomery.
Andrews,	C. B. Grant,	Moshier,
Atwood,	Green,	Norris,
Brown,	Greusel,	C. Y. Osburn,
Chamberlain,	Haack,	Phillips,
Cherry,	Hart,	Pierson,
Childs,	H. Haynes,	Priest,
Clement,	Haywood,	Riford,
Climie,	N. R. Hill,	Rood,
Cochrane,	S. W. Hill,	Roof,
Congdon,	Huff,	Roost,
Coulter,	Hughes,	Ross,
Crane,	Kellogg,	Sumner,
Crofoot,	Knapp,	Swineford,
Dalton,	Lamb,	Thayer,
Doty,	Little,	Walton,
Edwards.	McGonegal,	Webster,
Ferris,	E. R. Miller,	Wells,
Ferry,	N. L. Miller,	Williams,
Garfield,	R. C. Miller.	Speaker,
Garrison,		

64

NAYS.

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The question being on agreeing to the title,

On motion of Mr. C. B. Grant,

The title was amended by inserting, after the word "laws," the words "relative to the formation of mining and manufacturing companies."

The title, as amended, was then agreed to.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, April 13, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate manuscript bill, entitled

A bill directing the Secretary of State to provide the electors of this State uniform ballots on constitutional amendments,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 13, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 373, entitled

A bill to amend act No. 187, of session laws of 1859, approved February 15, 1859, and to repeal act No. 15, of session laws of 1862, approved January 17, 1862, and act No. 79, of session laws of 1863, approved March 11, 1863, relative to the estates of deceased persons,

And to inform the House that the Senate has amended the same as follows:

1. By striking out all of sections 4, 5, and 6;
2. Section 7, line 21, by inserting after the figures "1863," the following: "And sections four, five, and six, of act No. 187, of the session laws of 1859;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Garrison moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Gillam,	Mr. Montgomery,
Adsit,	C. B. Grant,	Moshier,
Andrews,	Greusel,	Norris,
Atwood,	Haack,	J. M. Osborn,
Brown,	Harris,	Pattengell,
Chamberlain,	Hart,	Pierson,
Clement,	H. Haynes,	Priest,
Climie,	J. Haynes,	Rood,
Cochrane,	Haywood,	Roof,
Congdon,	N. R. Hill,	Roost,
Coulter,	Houseman,	Ross,
Crane,	Huff,	Smith,
Crofoot,	Hughes,	Sumner,
Doty,	Lamb,	Swineford,
Edwards,	Little,	Thayer,
Fenton,	McGonegal,	Van Scoy,
Ferris,	E. R. Miller,	Walker,
Ferry,	N. L. Miller,	Webster,
Garfield,	R. C. Miller,	Wells,
Garrison,	Millington,	Speaker,
Gibson,	P. Mitchell,	

62

NAYS.

Mr. Walton,

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The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 13, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 426, being

A bill to amend section 65, of an act entitled “An act to revise and amend an act to incorporate the city of Muskegon,”

And to inform the House that the Senate has amended the same by inserting after the word “determine,” in line 18 of section 65, and also after the same word in line 20, of the same section, the words “the necessity of taking said grounds and;” also, by inserting after the word “of,” in line 21 of the same section, the words “the necessity of taking said grounds;”

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,
Secretary of the Senate.

Mr. Holt moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Haack,	Mr. Norris,
Adsit,	Harris,	C. Y. Osburn,
Andrews,	Hart,	J. M. Osborn,
Atwood,	H. Haynes,	Pierson,
Bates,	J. Haynes,	Priest,
Brown,	Haywood,	Riford,
Cherry,	S. W. Hill,	Rood,
Clement,	Houseman,	Roof,
Climie,	Huff,	Roost,
Cochrane,	Hughes,	Ross,
Crofoot,	Huston,	Runyan,
Doty,	Kellogg,	Smith,
Edwards,	Knapp,	Swineford,
Fenton,	Little,	Thayer,
Ferris,	McGonegal,	Van Scoy,

Mr. Ferry,	Mr. E. R. Miller,	Mr. Walker,
Garfield,	R. C. Miller,	Walton,
Garrison,	Millington,	Webster,
Gillam,	P. Mitchell,	Wells,
C. B. Grant,	Montgomery.	Williams,
Green,	Moshier,	Speaker,
Greusel,		

64

NAYS.

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The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 13, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 45, entitled

A bill to amend "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils," approved April 3, 1869, and to add a new section thereto, to stand as section 8, and to repeal an act entitled "An act to amend sections 1, 2, and 6, of an act entitled 'An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils,' approved April 3, 1869, being act No. 128, of the session laws of 1869, and to add thereto a new section, to stand as section 8 of said act," approved March 22, 1871,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 13, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bills:

1. House bill No. 51, entitled

A bill for the more effectual prevention of cruelty to animals;

2. House bill No. 173, entitled .

A bill to apportion anew the Representatives among the several counties and districts of this State;

3. House bill No. 244, entitled

A bill to amend section 31, of an act entitled “An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon,” approved April 6th, 1869;

4. House bill No. 410, entitled

A bill to amend section 6, of chapter 140, of the revised statutes of 1846, being section 5366, in chapter 165, of the compiled laws, relative to limitations of personal actions;

5. House bill No. 250, entitled

A bill to amend section 42, of an act entitled “An act to amend chapter 93, of the revised statutes of 1846, entitled ‘Of courts held by justices of the peace,’” approved February 13, 1855, being section 3694, in chapter 117, of the compiled laws;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 13, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bills:

1. House bill No. 377, entitled

A bill to provide for laying out and establishing a State road from town 24 north, of range 4 east, to the meridian ;

2. House bill No. 308, being

A bill to confirm the powers, rights, and privileges of the board of metropolitan police in the city of Detroit, and its officers and appointees, as organized and appointed under and by virtue of an act entitled "An act to establish a police government in the city of Detroit;"

3. House bill No. 403, being

A bill to amend sections 7 and 8, of an act entitled "An act to incorporate the village of Lyons," approved March 1, 1867. and to add a new section thereto ;

4. House bill No. 405, entitled

A bill to provide for the payment of the interest on the State debt ;

5. House bill No. 413, entitled

A bill to legalize the streets and highways within the corporate limits of the village of Benton Harbor ;

6. House bill No. 414, entitled

A bill to change the name of George F. Carney to George F. Powers, and that he be constituted heir-at-law of Isaiah Start Powers and Mary Powers ;

7. House bill No. 417, being

A bill to amend section 15, of act No. 370, of the session laws of 1869, entitled "An act to incorporate the village of Leslie ;"

8. House bill No. 421, entitled

A bill to change the names of James Selkrig, Hannah Selkrig, James Edward Selkrig, Henrietta Elizabeth Selkrig, Adde Bell Selkrig, and Charles Ellis Manly Selkrig, to Selkirk ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same

to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 13, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 201, entitled

A bill to amend section 31, of act No. 16, of the session laws of 1862, being an act for the reorganization of the military forces of the State of Michigan,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on military affairs.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 14, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the Senate has appointed Senators Romeyn, Wheeler, Emerson, Waterbury, and Stockbridge, on the part of the Senate, to confer with the committee already appointed by the House, on the disagreement of the two Houses on House bill No. 290, entitled

A bill to amend an act entitled "An act to revise the charter

of the city of Detroit, approved February 5, 1857, as amended by the several acts amendatory thereof," and to add several sections thereto, and to repeal several sections thereof."

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The message was laid on the table.

THIRD READING OF BILLS.

Senate bill No. 150, entitled

A bill to provide for the punishment and detention of certain persons in the Detroit House of Correction, and to repeal act number 145, of the laws of 1869, relative to the same subject,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Brown,	Mr. Greusel,	Mr. Pierson,
Cameron,	Haack,	Priest,
Chamberlain,	Hazen,	Riford,
Cochrane,	Houseman,	Rood,
Coulter,	Hughes,	Ross,
Ferry,	Kellogg,	Runyan,
Garfield,	Lamb,	Swineford,
Gibson,	McGonegal,	Van Scoy,
Gillam,	R. C. Miller,	Wells,

27

NAYS.

Mr. Adams.	Mr. Ferris,	Mr. Montgomery.
Adsit,	Garrison,	Norris,
Andrews,	C. B. Grant,	C. Y. Osburn,
Atwood,	Green,	J. M. Osborn,
Bates,	Hart,	Pattengell,
Cherry,	H. Haynes,	Roost,
Childs,	J. Haynes,	Smith,
Clement,	N. R. Hill,	Sumner,
Climie,	S. W. Hill,	Walker,
Congdon,	Huff,	Walton,
Crane,	Knapp,	Webster,

Mr. Crofoot,
Doty,
Fenton,

Mr. Little,
E. R. Miller,

Mr. Williams,
Speaker,

40

The committee on judiciary submitted the following report:

The committee on judiciary, to whom was referred Senate bill No. 230, being

A bill to provide for the appointment of a State reporter,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Gillam,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Huston,

The bill was placed on the order of third reading.

The committee on State affairs submitted the following report:

The committee on State affairs, to whom was referred House bill No. 402, entitled

A bill to amend section 3, of act No. 117, of the session laws of 1859, being an act entitled "An act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches," and to add a new section thereto, to stand as section twenty-three.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

A. CAMERON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cameron,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. Montgomery,

The bill was placed on the order of third reading.

The committee on internal improvements submitted the following report:

The committee on internal improvements, to whom was referred Senate manuscript bill, being

A bill to require railroad corporations to keep open ticket offices at passenger stations, for the sale of tickets, thirty minutes before the advertised time of the starting of all passenger trains,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

R. B. HUGHES, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brown,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Brockway,

The rules were suspended, and the bill was placed on the order of third reading.

Mr. Ross offered the following:

Resolved, As the sense of this House that the State public school for destitute and neglected children, to be established by act of this Legislature, should be located in the city of Lansing;

Which was not adopted.

Senate bill No. 152, entitled

A bill to amend chapter 26, of the compiled laws, entitled "Of the regulation of ferries," by repealing sections 3 and 4 of said chapter, and by adding a new section thereto, providing for the laying out, constructing, maintaining, altering, or discontinuing of ferry landings, and for the use of highways or such landings,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Garfield,	Mr. N. L. Miller,
Adsit,	Garrison,	R. C. Miller,
Andrews,	Gibson,	P. Mitchell,
Atwood,	Gillam,	W.H.C. Mitchell,
Barnaby,	R. J. Grant,	Montgomery,
Bates,	Green,	Norris,
Brockway,	Greusel,	C. Y. Osburn.
Brown,	Haack,	Pattengell,
Cherry,	H. Haynes,	Post,
Childs,	J. Haynes,	Priest,
Clement,	Hazen,	Riford,
Climie,	S. W. Hill,	Rood,
Cochrane,	Holt,	Roof,
Congdon,	Houseman,	Roost,
Crane,	Huff,	Ross,
Crofoot,	Hughes,	Smith,
Doty,	Kellogg,	Van Scoy,
Edwards,	Knapp,	Walker,
Fenton,	Little,	Walton,
Ferris,	McGonegal,	Williams,
Ferry,	E. R. Miller,	Speaker, 63

NAYS.

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Title agreed to.

Senate bill No. 175, entitled

A bill to amend section 1, of an act entitled "An act relative to laying out, altering, and discontinuing highways," approved March 15th, 1861,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Adams moved to amend the bill by inserting in line 26,

after the word "out," the words "through any buildings or enclosures connected therewith or ;"

Which motion prevailed.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adsit,	Mr. Gibson,	Mr. E. R. Miller,
Atwood,	Gillam,	Millington,
Brockway,	Green,	P. Mitchell,
Brown,	Haack,	Montgomery.
Clement,	H. Haynes,	C. Y. Osburn,
Cochrane,	J. Haynes,	Pattengell,
Congdon,	N. R. Hill,	Rood,
Crofoot,	Houseman,	Roof,
Doty,	Hughes,	Ross,
Edwards,	Kellogg,	Smith,
Ferris,	Little,	Walker,
Ferry,	McGonegal.	Williams,
Garfield,		

37

NAYS.

Mr. Adams,	Mr. S. W. Hill,	Mr. Norris,
Andrews,	Holland,	Phillips,
Bates,	Holt,	Post,
Cherry,	Hoyt,	Priest,
Childs,	Huff,	Roost,
Crane,	Hurlbut,	Van Scoy,
Garrison,	Knapp,	Walton,
Greusel,	N. L. Miller,	Webster,
Hazen,	W.H.C. Mitchell,	Speaker,

27

Mr. Post moved to reconsider the vote by which the House refused to pass the bill ;

Which motion did not prevail.

House bill No. 428, entitled

A bill for the relief of Milo R. Campbell from the payment of five dollars an acre for certain Agricultural College lands.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. Kellogg,
Adams,	Gray,	Little,

Mr. Adsit,	Mr. Greusel,	Mr. E. R. Miller,
Atwood,	Grosvenor,	Millington,
Barnaby,	Haack,	P. Mitchell,
Bates,	Hart,	Montgomery,
Brockway,	H. Haynes,	C. Y. Osburn,
Cameron,	J. Haynes,	Phillips,
Childs,	Hazen,	Pierson,
Clement,	N. R. Hill,	Post,
Cochrane,	S. W. Hill,	Priest,
Congdon,	Holt,	Rood,
Copley,	Houseman,	Roof,
Crane,	Hoyt,	Ross,
Doty,	Huff,	Smith,
Edwards,	Hughes,	Swineford,
Garfield,	Hurlbut,	Van Scoy
Garrison,	Huston,	Wells,
C. B. Grant,		

55

NAYS.

Mr. Andrews,	Mr. Gibson,	Mr. Pattengell,
Brown,	Gillam,	Roost,
Cherry,	Green,	Walton,
Olimie,	Knapp,	Webster,
Ferris,	N. L. Miller,	Williams,
Ferry,	Norris,	Speaker,

18

The question being on agreeing to the title,

On motion of Mr. Bates,

The title was amended so as to read as follows:

A bill to change the name of Trinity Church, of Lower Saginaw, to Trinity Church of Bay City.

The title, as amended, was then agreed to.

On motion of Mr. Dexter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 229, entitled

A bill to confirm and legalize the action of the board of supervisors of the county of Houghton, in consenting to the building a bridge across Portage lake, in said county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Ferry,	Mr. Montgomery,
Adams,	Garfield,	Norris,
Adsit,	Garrison,	C. Y. Osburn,
Andrews,	O. B. Grant,	Phillips,
Barnaby,	Green,	Pierson,
Bates,	Greusel,	Post,
Brockway,	Haack,	Priest,
Brown,	H. Haynes,	Rood,
Chamberlain,	J. Haynes,	Ross,
Cherry,	Hazen,	Smith,
Childs,	N. R. Hill,	Sumner,
Clement,	S. W. Hill,	Swineford,
Climie,	Huff,	Van Scoy,
Congdon,	Hurlbut,	Walker,
Crane,	Kellogg,	Walton,
Crofoot,	Knapp,	Wells,
Edwards,	E. R. Miller,	Speaker,
Ferris,	Millington.	

53

NAYS.

Mr. Copley,	Mr. Gillam.	Mr. Webster,
Gibson,	Roost,	Williams,

6

The question being on agreeing to the title.

On motion of Mr. Climie,

The title was amended by striking out the words "and legalize."

The title, as amended, was then agreed to.

Mr. Swineford moved that there be a call of the House;

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs Atwood, Dalton, Doty, Gray, Grosvenor, Huff, Hughes, Lamb, R. C. Miller, Moshier, and Pierson.

On motion of Mr. Garrison,

All further proceedings under the call were dispensed with.

On motion of Mr. Swineford,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Post moved that the rules be suspended, and the bar of the House be kept closed for two hours ;

Which motion did not prevail.

Senate bill No. 20, entitled

A bill to confirm the record of letters of attorney in certain cases,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. Millington,
Adams,	C. B. Grant,	P. Mitchell,
Adsit.	R. J. Grant,	W.H.C. Mitchell,
Andrews,	Gorman,	Montgomery,
Atwood,	Gray,	Norris,
Barnaby	Green,	C. Y. Osburn,
Brown,	Greusel,	Pattengell,
Cameron,	Haack,	Pearl,
Chamberlain.	Harris,	Priest,
Cherry,	Hart,	Riford,
Childs,	H. Haynes,	Rood,
Clement,	J. Haynes,	Roost,
Climie,	Haywood,	Ross,
Congdon.	N. R. Hill,	Smith,
Copley,	Hoyt,	Sumner,
Coulter,	Huff,	Swineford,
Crane,	Hurlbut,	Van Scoy,
Crofoot.	Kellogg,	Walker,
Edwards.	Knapp,	Walton,
Ferris,	Little,	White,
Garfield,	N. L. Miller,	Williams,
Garrison.	R. C. Miller,	Speaker, 66

NAYS.

Mr. Hazen.	Mr. Post,	Mr. Thayer.
Minne,	Runyan,	Wells, 6

Title agreed to.

House bill No. 389, entitled

A bill to amend section 3, of an act entitled " An act to lay out and establish a State road from Angell's Landing (so-called), on section 28, in township 29 north, of range 8 west, in the county of Antrim, to the center of township 29 north.

of range 1 west, in the county of Otsego," being act number 432, of the session laws of 1869, approved April 3, 1869,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Ferry,	Mr. P. Mitchell,
Adams,	Garfield,	W.H.C. Mitchell,
Andrews,	Gillam,	Montgomery,
Atwood,	C. B. Grant.	Norris,
Barnaby,	R. J. Grant,	C. Y. Osburn,
Bates,	Green,	Pierson,
Brockway.	Haack,	Post,
Brown,	Harris,	Priest,
Cameron,	Hart,	Riford,
Chamberlain.	J. Haynes,	Rood,
Cherry,	Haywood,	Roof,
Childs,	Hazen,	Roost,
Clement,	Houseman.	Ross,
Cochrane,	Hoyt,	Smith,
Copley,	Huff,	Sumner,
Crane,	Huston,	Swineford,
Crofoot,	Knapp,	Thayer,
Dalton,	E. R. Miller.	Walker,
Doty,	R. C. Miller,	Walton,
Edwards,	Millington,	Webster.
Ferris,	Minne,	Speaker 63

NAYS.

Mr. Adsit,	Mr. Lamb,	Mr. Van Scoy,
Kellogg,	Pearl,	Williams, 6

The question being on agreeing to the title,

On motion of Mr. Brockway,

The title was amended by striking out, in line 1, the word "three," and inserting "one, two, three, and five," in lieu thereof.

The title, as amended, was then agreed to.

On motion of Mr. J. Haynes,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 131, entitled

A bill to amend section 25, of chapter 140, of the compiled

laws, as amended by act No. 159, of the session laws of 1869, approved April 5, 1869, being "An act to authorize proceedings against garnishees, and for other purposes,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Gillam,	Mr. Millington,
Adsit,	C. B. Grant,	Minne,
Andrews,	R. J. Grant,	P. Mitchell,
Atwood	Green,	W.H.C. Mitchell,
Barnaby,	Greusel,	Montgomery,
Bates,	Haack,	Norris,
Brockway,	Harris,	C. Y. Osburn,
Brown,	Hart,	Phillips,
Cameron,	J. Haynes,	Pierson,
Chamberlain.	Haywood,	Post,
Childs,	Hazen,	Riford,
Clement,	N. R. Hill,	Roost,
Congdon,	Holt,	Ross,
Crane,	Houseman,	Runyan,
Crofoot,	Huff,	Smith,
Dalton,	Huston,	Sumner,
Doty,	Kellogg,	Thayer,
Edwards,	Knapp,	Van Scoy,
Fenton,	Lamb,	Walker,
Ferris,	Little,	Walton,
Ferry,	E. R. Miller,	Webster,
Garfield,	N. L. Miller,	White,
Garrison,	R. C. Miller,	Williams,

69

NAYS.

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Title agreed to.

On motion of Mr. Adams,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 234, entitled

A bill to amend section 3, of chapter 25, of the revised statutes of 1846, being section 1069, of chapter 22, of the compiled laws, relating to highways,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adsit,	Mr. Gillam,	Mr. E. R. Miller,
Andrews.	R. J. Grant,	Millington,
Atwood,	Haack,	Minne,
Barnaby,	Harris,	Montgomery.
Brockway,	Hart,	Norris,
Cameron,	H. Haynes,	Pattengell,
Chamberlain,	J. Haynes,	Post,
Childs,	Haywood,	Rood,
Cochrane,	Hazen,	Ross,
Copley,	N. R. Hill,	Sumner,
Crane,	Holt,	Thayer,
Ferris,	Huston.	Walton,
Ferry,	Kellogg,	Williams,
Garfield,	Lamb,	Speaker, 42

NAYS.

Mr. Adams,	Mr. Houseman,	Mr. Pierson,
Brown,	Hoyt,	Priest,
Cherry,	Knapp,	Roof,
Clement,	N. L. Miller,	Bunyan,
Congdon,	R. C. Miller,	Smith,
Doty,	P. Mitchell,	Van Scoy,
Edwards,	W.H.C. Mitchell,	Walker,
C. B. Grant.	C. Y. Osburn,	Wells,
Green,	Pearl,	White. 29
Greusel,	Phillips,	

The following report was submitted :

The committee of conference to whom was referred the matter of a disagreement of the Senate and House as to amendments made by the House to section 37, of Senate bill No. 96. entitled

A bill to revise the laws providing for the incorporation of railroad companies,

Would respectfully report that they have had the same under consideration, and have directed me to report the following substitute for the amendments made to section 37 by the House, and to recommend that the House do recede from the amendments made to said section and adopt in lieu thereof the following substitute, to stand as amendments to said section 37:

Strike out all of line 8, after the word "law;" all of lines 9, 10, 11, 12, and line 13 to and including the word "acquired," and insert "except real property not necessary for carrying on the ordinary operations or franchises of their road: *Provided*, Only such lands granted to any railroad company shall be liable to local taxation as are or may be opposite to, and coterminous with the constructed portion and portions of said roads respectively: *And provided further*, That no such lands shall be subject to taxation until after the expiration of three years from and after the first day of April, A. D. 1871, and until after three years from the date of the certificate showing that such lands have been earned by said railroad company, after which time said lands shall be taxed as other lands, except as hereinafter provided: *And provided further*, That the lands of the several land-grant railroad companies, opposite to and coterminous with their lines as now in operation, shall be subject to taxation in two years from the said first day of April A. D. 1871,"

And ask to be discharged from the further consideration of the subject.

CHARLES E. HOLLAND, *Chairman*.

Mr. Brockway moved that the House concur in the recommendations of the committee of conference;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Andrews,
Atwood,
Barnaby,
Bates,
Brockway.
Brown,
Cameron.
Childs,
Climie,
Crane,
Crofoot,
Dalton.
Doty,

Mr. Greusel,
Haack,
Hart,
H. Haynes,
J. Haynes,
Haywood,
S. W. Hill,
Holland,
Holt,
Houseman,
Hoyt,
Huff,
Hurlbut,
Huston,
Kellogg,

Mr. Minne,
P. Mitchell,
Montgomery,
Moghier,
Norris,
C. Y. Osburn,
Pattengell,
Pearl,
Phillips,
Pierson,
Post,
Priest,
Roof,
Ross,
Runyan,

Mr. Fenton,	Mr. Knapp,	Mr. Smith,
Ferris,	Lamb,	Van Scoy,
Garfield,	Little,	Walker,
Garrison,	E. R. Miller,	Walton,
Gibson,	N. L. Miller,	Webster,
O. B. Grant,	R. C. Miller,	Wells,
R. J. Grant,	Millington,	Speaker,
Green,		

67

NAYS.

Mr. Adsit,	Mr. Gillam,	Mr. Rood,
Chamberlain,	Gorman,	Roost,
Clement,	Gray,	Summer,
Congdon,	Hazen,	Thayer,
Copley,	W.H.C. Mitchell,	White,
Coulter,	Riford,	Williams,
Edwards,		

19

Senate bill No. 230, entitled

A bill to provide for the appointment of a State reporter,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. Montgomery.
Adams,	C. B. Grant,	Norris,
Adsit,	R. J. Grant,	C. Y. Osburn.
Andrews,	Gorman,	J. M. Osborn,
Atwood,	Green,	Pattengell,
Bates,	Greusel,	Phillips,
Brockway,	Haack,	Pierson,
Brown,	Hart,	Post,
Cameron,	J. Haynes,	Priest,
Chamberlain,	Haywood,	Riford,
Clement,	N. R. Hill,	Rood,
Climie,	S. W. Hill,	Roof,
Cochrane,	Hoyt,	Roost,
Coulter,	Huff,	Ross,
Crane,	Huston,	Runyan,
Crofoot,	Kellogg,	Smith,
Dalton,	Knapp,	Thayer,
Doty,	Lamb,	Walker,
Edwards,	E. R. Miller,	Walton,
Fenton,	N. L. Miller,	Wells,
Ferris,	R. C. Miller,	White,
Ferry,	Millington,	Williams,

Mr. Garfield,	Mr. Minne,	Mr. Speaker,	
Garrison,	W.H.C.Mitchell,		71
	NAYS.		0

Title agreed to.

Senate manuscript bill, entitled

A bill to legalize the tax and assessment rolls of the village of New Baltimore, for the years A. D. 1869 and 1870, and to renew and continue in force the warrants attached to said tax and assessment rolls,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gray,	Mr. Montgomery,	
Adams,	Green,	J. M. Osborn,	
Barnaby,	Greusel,	Pearl,	
Bates,	Haack,	Phillips,	
Brockway,	Hart,	Pierson,	
Brown,	Haywood,	Post,	
Cameron,	N. R. Hill,	Priest,	
Clement,	S. W. Hill,	Rood,	
Climie,	Houseman,	Roof,	
Cochrane,	Hoyt,	Roost,	
Copley,	Huff,	Ross,	
Crane,	Hughes,	Runyan,	
Dalton,	Huston,	Smith,	
Doty,	Kellogg,	Sumner,	
Edwards,	Knapp,	Thayer,	
Ferris,	Little,	Van Scoy,	
Ferry,	E. R. Miller,	Walker,	
Garfield,	N. L. Miller,	Walton,	
Garrison,	R. C. Miller,	Webster,	
C. B. Grant,	Millington,	White,	
R. J. Grant,	Minne,	Speaker,	
Gorman,	W.H.C.Mitchell,		65
	NAYS.		0

Title agreed to.

On motion of Mr. N. L. Miller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Fenton moved to take from the table Senate bill No. 71, entitled

A bill to provide for the drainage and reclamation of swamp lands lying in the counties of Charlevoix and Antrim, by means of straightening, deepening, and removing obstructions in the channel of Pine river ;

Which motion prevailed.

On motion of Mr. Fenton,

The bill was placed on the order of third reading.

Mr. Montgomery moved to discharge the committee of the whole from the further consideration of House manuscript bill, entitled

A bill to authorize justices of the peace of the township of Hamlin, in Eaton county, to hold courts at any place within the corporate limits of Eaton Rapids :

Which motion prevailed.

On motion of Mr. Montgomery,

The bill was placed on the order of third reading.

Senate manuscript bill, entitled

A bill to require railroad corporations to keep open ticket offices at passenger stations, for the sale of tickets, thirty minutes before the advertised time of the starting of all passenger trains,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,
Adams,
Adsit,
Atwood,
Barnaby,
Bates,
Brockway,
Brown,
Climie,
Cochrane,
Copley,
Coulter
Edwards,
Fenton,
Ferris,

Mr. Gray,
Greusel,
Haack,
H. Haynes,
J. Haynes,
Haywood,
Hazen,
N. R. Hill,
S. W. Hill,
Holt,
Houseman,
Hoyt,
Hughes,
Hurlbut,
Huston,

Mr. N. L. Miller,
W.H.C. Mitchell.
Montgomery,
C. Y. Osburn,
Phillips,
Pierson,
Post,
Priest,
Roof,
Roost,
Ross,
Runyan,
Smith,
Sumner,
Swineford.

Mr. Ferry,
Garfield,
Gibson,

Mr. Knapp,
Lamb,

Mr. Van Scoy,
Speaker,

52

NAYS.

Mr. Andrews,
Cameron,
Cherry,
Clement,
Crane,
Doty,
Garrison,
Gillam,
C. B. Grant,

Mr. R. J. Grant,
Gorman,
Hart,
Huff,
Kellogg,
E. R. Miller,
R. C. Miller,
Millington,
Minne,

Mr. Norris,
J. M. Osborn,
Pattengell,
Rood,
Walker,
Walton,
Wells,
White,
Williams,

27

The question being on agreeing to the title,

On motion of Mr. Holt,

The title was amended by adding thereto the words "and to compel conductors to call out the names of all stopping stations prior to reaching the same."

The title, as amended, was then agreed to.

Senate joint resolution No. 16, which reads as follows :

JOINT RESOLUTION proposing an amendment to section 7, article 6, and section 1, article 9, of the constitution of the State, relative to the number and limits of judicial circuits and the salaries of the judges of the circuit courts.

SECTION 1. *Resolved by the Senate and House of Representatives of the State of Michigan,* That the following amendment to the constitution of this State be and the same is hereby proposed, to stand as section seven, of article 6: No more than eighteen circuits shall be created prior to the year eighteen hundred and seventy-five, and in that year the Legislature shall re-divide the State into not more than fifteen circuits, and the number of circuits shall not exceed fifteen until the year eighteen hundred and eighty-one, when, or at any time thereafter, the Legislature may increase the number of the same. Within these limits the Legislature may establish or alter circuits as the public needs shall require, but no alteration or creation of any circuit shall operate to remove a judge from office. When a circuit is made, a judge thereof shall be elect-

ed therein, and his term of office shall continue as provided in this constitution for judges of the circuit courts.

SEC. 2. That the following amendment to the constitution of this State is hereby proposed, to stand as section one, of article nine: The Governor shall receive an annual salary of one thousand dollars. The judges of the circuit court shall receive an annual salary of three thousand dollars. The State Treasurer shall receive an annual salary of one thousand dollars. The Auditor General shall receive an annual salary of one thousand dollars. The Superintendent of Public Instruction shall receive an annual salary of one thousand dollars. The Secretary of State shall receive an annual salary of eight hundred dollars. The Commissioner of the Land Office shall receive an annual salary of eight hundred dollars. The Attorney General shall receive an annual salary of eight hundred dollars. They shall receive no fees or perquisites whatever for the performance of any duties connected with their offices. It shall not be competent for the Legislature to increase the salaries herein provided.

Said amendments shall be submitted to the people of this State at the next general election, to be held on the first Tuesday succeeding the first Monday in November, in the year 1872, and the Secretary of State is hereby required to give notice of the same to the sheriffs of the several counties in this State in the same manner that he is now by law required to do in case of an election of Governor and Lieutenant Governor; and the inspectors of election in the several townships and cities in this State shall prepare a suitable ballot-box for the reception of ballots cast for and against said amendments. Each person voting for said amendment to section one, article nine, shall have written or printed on his ballot the words, "Amendment relative to the salaries of judges of the circuit court—Yes;" and each person voting against it shall have written or printed on his ballot the words "Amendment relative to the salaries of judges of the circuit

court—No.” And each person voting for said amendment to section seven, article six, shall have written or printed on his ballot the words “Amendment relative to the limits of judicial circuits, and the number thereof—Yes;” and each person voting against said amendment shall have written or printed on his ballot the words “Amendment relative to the limits of judicial circuits, and the number thereof—No.” The ballots shall, in all respects, be canvassed, and returns made, as in elections of Governor and Lieutenant Governor,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Adams moved to amend the same by striking out, in line 5, of section 1, the word “fifteen,” and inserting the word “seventeen” in lieu thereof;

Which motion did not prevail.

The joint resolution was then passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. W.H.C. Mitchell,
Adams,	C. B. Grant,	Montgomery,
Andrews,	R. J. Grant,	Norris,
Barnaby,	Gorman,	C. Y. Osburn,
Brockway,	Gray,	J. M. Osborn,
Brown,	Green,	Pattengell,
Cameron,	Greusel,	Pearl,
Chamberlain.	Harris,	Phillips,
Cherry,	Hart,	Pierson,
Childs,	H. Haynes,	Post,
Clement,	J. Haynes,	Priest,
Climie,	Haywood,	Rood.
Cochrane,	Hazen,	Roof,
Congdon,	N. R. Hill,	Roost,
Copley,	S. W. Hill,	Runyan,
Coulter,	Holt,	Smith
Crane,	Houseman,	Swineford,
Crofoot,	Hoyt,	Thayer,
Doty,	Huff,	Van Scoy,
Edwards,	Hughes,	Walker,
Fenton,	Hurlbut,	Walton,

Mr. Ferris,
Ferry,
Garfield,
Garrison,
Gibson,

Mr. Huston,
McGonegal,
E. R. Miller,
Millington,
Minne,

Mr. Webster,
Wells,
White,
Speaker,

NAYS.

Mr. Adsit,
Kellogg,

Mr. R. C. Miller,
Ross,

Mr. Sumner,
Williams,

Title agreed to.

House bill No. 402, entitled

A bill to amend section 3, of act No. 117, of the session laws of 1859, being an act entitled "An act to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches," and to add a new section thereto, to stand as section 23,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Adsit,
Andrews,
Atwood,
Barnaby,
Bates,
Brockway,
Brown,
Cameron,
Chamberlain,
Cherry,
Childs,
Climie,
Cochrane,
Congdon,
Copley,
Coulter,
Crane,
Crofoot,
Doty,
Fenton,
Ferris,
Ferry,

Mr. Gillam,
C. B. Grant,
R. J. Grant,
Gorman,
Gray,
Green,
Greusel,
Harris,
Hart,
H. Haynes,
J. Haynes,
Hazen,
N. R. Hill,
Holt,
Houseman,
Hoyt,
Huff,
Hughes,
Hurlbut,
Huston,
Kellogg,
Knapp,
Lamb,
McGonegal,

Mr. Millington.
Minne,
W.H.C. Mitchell,
Montgomery,
Norris,
C. Y. Osburn.
Pattengell,
Pearl,
Pierson,
Post,
Priest,
Riford,
Rood,
Roof,
Roost,
Ross,
Runyan,
Smith,
Sumner,
Swineford,
Thayer,
Van Scoy,
Walker,
Walton,

Mr. Garfield, Garrison, Gibson,	Mr. E. R. Miller, N. L. Miller, R. C. Miller,	Mr. Webster, Wells, White,	81
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NAYS.

Mr. Edwards,	Mr. Williams,	Mr. Speaker,	3
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The question being on agreeing to the title,

On motion of Mr. J. Haynes,

The title was amended so as to read as follows :

A bill to create a Board of State Swamp Land Commissioners, and to repeal act No. 76, of the session laws of 1867.

The title, as amended, was then agreed to.

On motion of Mr. Huston,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 76, entitled

A bill to provide for the drainage and reclamation of swamp lands lying in the counties of Charlevoix and Antrim, by means of straightening, deepening, and removing obstructions in the channel of Pine river,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam, Adams, Adsit, Andrews, Atwood, Barnaby, Bates, Brockway, Brown, Childs, Clement Climie, Cochrane, Congdon, Copley, Crane, Crofoot, Doty,	Mr. C. B. Grant, R. J. Grant, Gray, Green, Haack, Harris, Hart, H. Haynes, J. Haynes, N. R. Hill, Holt, Hoyt, Huff, Hughes, Hurlbut Huston, Knapp, Little,	Mr. Millington, W.H.C. Mitchell, Montgomery, Norris, C. Y. Osburn, J. M. Osborn, Pattengell, Phillips, Pierson, Priest, Rood, Roof, Runyan, Sumner, Swineford, Thayer, Van Scoy, Walton,
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Mr. Edwards, Fenton, Gibson,	Mr. McGonegal, N. L. Miller, R. C. Miller,	Mr. Webster, Wells, Speaker,	63
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NAYS.

Mr. Chamberlain, Cherry, Coulter, Ferris, Ferry, Garfield, Garrison,	Mr. Gillam, Gorman, Houseman, Kellogg, Lamb, E. R. Miller, Minne,	Mr. Riford, Roost, Ross, Smith, Walker, White, Williams,	21
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Title agreed to.

House manuscript bill, entitled

A bill to authorize justices of the peace of the township of Hamlin, in Eaton county, to hold courts in any place within the corporate limits of the village of Eaton Rapids,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam, Adams, Adsit, Andrews, Atwood, Barnaby, Bates, Brown, Cameron, Chamberlain, Cherry, Childs, Clement, Climie, Cochrane, Congdon, Copley, Coulter, Crane, Crofoot, Doty, Edwards, Fenton,	Mr. Gillam, C. B. Grant, R. J. Grant, Gray, Green, Haack, Harris, Hart, H. Haynes, J. Haynes, Hazen, N. R. Hill, Holt, Houseman, Hoyt, Huff, Hughes, Hurlbut, Huston, Lamb, Little, McGonegal, E. R. Miller,	Mr. P. Mitchell, W.H.C. Mitchell, Montgomery, Norris, C. Y. Osburn, J. M. Osborn, Pattengell, • Phillips, Pierson, Priest, Riford, Rood, Roof, Roost, Ross, Runyan, Smith, Swineford, Thayer, Van Scoy, Walker, Walton, Webster,
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Mr. Ferris,	Mr. N. L. Miller,	Mr. Wells,	
Ferry,	R. O. Miller,	White,	
Garfield,	Millington,	Williams,	
Garrison,	Minne,	Speaker,	
Gibson,			82

NAYS.

0

The question being on agreeing to the title,

On motion of Mr. Montgomery,

The title was amended so as to read as follows :

A bill to authorize justices of the peace residing within the corporate limits of the village of Eaton Rapids, to hold courts at any place within the corporate limits of said village.

The title, as amended, was then agreed to.

On motion of Mr. Montgomery,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Bates moved to take from the table House bill No. 281, entitled

A bill to provide for the drainage and reclamation of swamp lands, by deepening and improving the outlet of Duck lake, in township nineteen north, of range six east, in Bay county ;

Which motion prevailed.

The question being on the passage of the bill,

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. Knapp,
Adams,	Gray,	Little,
Adsit,	Green,	McGonegal,
Andrews,	Haack,	Minne,
Atwood,	Harris,	W.H.C. Mitchell,
Barnaby,	Hart,	Montgomery,
Bates,	J. Haynes,	Norris,
Brockway,	Haywood,	C. Y. Osburn,
Cherry,	Hazen,	Pattengell,
Climie,	N. R. Hill,	Phillips,
Cochrane,	S. W. Hill,	Priest,
Copley,	Holt,	Rood,
Grofoot,	Houseman,	Roof,

Mr. Dalton,
Doty,
Edwards,
Fenton,
Gillam,
C. B. Grant,

Mr. Hoyt,
Huff,
Hughes,
Hurlbut,
Huston,

Mr. Runyan,
Swineford,
Thayer,
Webster,
Speaker,

55

NAYS.

Mr. Brown,
Cameron,
Chamberlain.
Clement,
Coulter,
Crane,
Ferris,
Ferry,
Garfield,
Garrison,

Mr. Gibson,
Gorman.
Kellogg,
Lamb,
E. R. Miller.
N. L. Miller,
R. C. Miller.
P. Mitchell.
Pierson,

Mr. Riford,
Roost,
Ross,
Smith,
Van Scoy.
Walker,
Walton,
White,
Williams,

28

Title agreed to.

On motion of Mr. Bates,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, April 14, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following joint resolution:

House manuscript joint resolution, entitled

Joint resolution instructing the Auditor General to discharge certain mortgages;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,
Lansing, April 13, 1871. }

To the House of Representatives :

I have this day approved, signed, and deposited in the office of the Secretary of State the following entitled acts :

1. An act to establish an insurance bureau ;
2. An act to repeal act No. 271, of the session laws of 1848, being an act entitled "An act to incorporate the Flint and Fentonville plank road company," approved April 3, 1848 ;
3. An act to detach certain real estate from school district number one, fractional of Parma, Sandstone, Concord, and Spring Arbor, and attaching the same to school district number three, of Parma ;
4. An act to amend act number 138, of the session of A. D. 1867, being an act entitled "An act to amend section 1, of chapter 70, of the revised statutes of 1846, being section 2877, of chapter 94, of the compiled laws, entitled 'Of the administration and distribution of estates of deceased persons ;'"
5. An act to provide for the publication of the laws of 1871 ;
6. An act to authorize the supervisor of the township of Alabaster, in the county of Iosco, to make out a new tax-roll for said township for the year 1870, and to extend the time for the collection of taxes thereon and return thereof ;
7. An act to authorize the election of a township drain commissioner in each organized town, and to authorize him to locate, establish, and construct ditches, drains, and water-courses in his respective towns, and to repeal all other drainage laws in relation thereto ;
8. An act to amend section 1, of act No. 267, of session laws of 1869, being an act entitled "An act to amend act No. 397, of the session laws of 1867, entitled 'An act to amend act

No. 301, of the session laws of 1865, being an act entitled An act to regulate the tolls on plank roads, in Bay, Gratiot, and Saginaw counties ;”

9. An act to constitute the president and board of trustees of the village of Bellevue, the commissioners of highways thereof, and to make the street commissioners the overseers of highways of said village, and to create a board of control for bridges within said village ;

10. An act to confirm the title of certain cemetery property within the city of Saginaw, in Saginaw county, and authorizing the common council of said city to sell the same ;

11. An act to amend section 40, of an act entitled “An act to incorporate the village of Ovid,” approved March 24, 1869. and to add a new section thereto, to stand as section 2 ;

12. An act to provide for the incorporation of St. Jean Baptiste societies ;

13. An act to amend section 1, of act No. 31, of session laws of 1869, entitled “An act to regulate the size of dry or packing barrels for fruit, roots, and vegetables,” approved March 8, 1869 ;

14. An act to amend sections 12, 13, and 14, of act No. 82, of the session laws of 1869, being an act to amend sections 12, 13, 14, and 15, of chapter 154, of the revised statutes of 1846, being sections 5756, 5757, 5758, and 5759, of chapter 181, of the compiled laws, entitled “Of offenses against property,” approved March 30th, 1869 ;

15. An act to amend section 45, of an act entitled “An act to provide for the formation of companies to construct plank roads,” approved April 8, 1851, being section 1925, in chapter 65, of the compiled laws ;

16. An act to provide for the protection of laborers and persons furnishing material for the construction and repairing of railroads in this State ;

17. An act to amend an act entitled “An act to authorize the common council of the city of Detroit to divide any ward

of said city into two wards or election districts, and to provide for the registration of qualified electors therein," approved March 27, 1867;

18. An act to determine the width of the Goodrichville and Lower Saginaw State road, in the townships of Millington, Vassar, Tuscola, and Denmark, in Tuscola county, and the township of Blumfield, in the county of Saginaw, and Portsmouth and Hampton, in the county of Bay;

19. An act to regulate the size of peach baskets;

20. An act to amend section 89, of chapter 102, of the revised statutes of 1846, being section 4326, chapter 127, of the second volume of the compiled laws, entitled "Evidence;"

21. An act to amend act No. 208, of the session laws of 1869, being an act entitled "An act to provide for the establishment of school district libraries," approved February 15, 1859, by adding a new section thereto, to stand as section 6, and to change the numbers of section 6 and section 7 to section 7 and section 8;

22. An act to amend sections 3 and 4, of chapter 27, of the revised statutes of 1846, "Of the erection, repairing, and preservation of bridges," being sections 1100 and 1101 of the compiled laws;

23. An act to amend section six, of chapter twenty-six, of the revised statutes of eighteen hundred and forty-six, being section ten hundred and ninety-one, of chapter twenty-three, of the compiled laws, entitled "Of the obstruction of highways, encroachments thereon, and penalties;"

24. An act to provide for the laying out, establishing, and constructing a State road in the county of Iosco, and appropriating certain non-resident highway taxes therefor, said road to be known as the Oscoda and Plainfield State road;

25. An act to amend section 14, in chapter 78, of the revised statutes of 1846, being section 3103, in chapter 102, of the compiled laws, relative to the sale of lands of minors and

other persons under guardianship, and investing the proceeds for their use;

26. An act to change the name of Franklin Dwight Smith to Franklin Dwight Martin, and to constitute him the heir-at-law of John Clark Martin and Maria Louisa Martin, of Ingham county, Michigan;

27. An act to change the name of Seth Dimick Adams to Seth Dimick Gage, and to constitute him heir-at-law of Franklin Gage and Mary C. Gage;

28. An act providing a name for a certain male child whose parentage is unknown, and constituting it the heir-at-law of Jacob Bush and Susannah Bush;

29. An act to remit certain specific taxes therein named;

30. An act to provide for the sale of perishable property;

31. An act to establish certain highways in the township of Easton, Ionia county, less than four rods wide;

32. An act appropriating certain non-resident highway taxes for the improvement of the Greenbush and Gratiot State road;

33. An act to regulate the execution and transfer of notes or other obligations, given for patent rights;

34. An act to provide for the laying out, establishing, and constructing a State road in the county of Alcona, and appropriating certain non-resident highway taxes therefor, to be known as the Pine River State road;

35. An act to amend section 92, of an act entitled "An act to revise the charter of the city of Detroit," approved February 5th, one thousand eight hundred and fifty-seven, as amended by several acts amendatory thereof;

36. Joint resolution for the relief of Richard Thorne;

37. Concurrent resolution:

Resolved by the House of Representatives (the Senate concurring), That the Secretary of State be directed to forward to each supervisor one copy of all general acts which are ordered to take immediate effect, in addition to the copies already re-

quested to be forwarded to the supreme and circuit judges and county clerks;

38. An act to incorporate the village of Pewamo;

39. An act relative to proof of corporations and joint stock companies in certain cases;

40. An act to amend an act entitled "An act to provide for the incorporation of slack-water navigation companies, for the improvement of rivers in the counties of St. Joseph, Cass, Berrien, and Cheboygan, and define their powers and duties," approved March 25th, 1867;

41. An act to amend an act entitled "An act imposing a specific tax upon corporations and chartered companies engaged in the business of mining, smelting, and refining ores in this State," approved March 10th, 1865, as amended by act No. 191, of the session laws of 1867;

42. An act to amend recited sections 32 and 33, of act No. 32, of the laws of 1864, entitled "An act to amend an act entitled 'An act to further preserve the purity of elections, and guard against the abuses of the elective franchise, by a registration of electors,' approved February 14th, 1859," approved February 5th, 1864, and to add a new section thereto.

HENRY P. BALDWIN.

The message was laid on the table.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

S. L. S. R. COMMISSIONER'S OFFICE, }
Lansing, Mich., April 14, 1871. }

To the Speaker of the House of Representatives:

SIR—I have the honor to acknowledge the receipt from the Clerk of the House, by yesterday's mail, of the following:

Resolved, That L. B. Curtis, Swamp Land State Road Commissioner, be requested to report to this House, forthwith, whether he devoted his entire time to the duties of said office during the two last years, and if not, what proportion of his

time he has devoted to the duties of said office during said two years.

In reply, I have to say that I have faithfully devoted to the duties of the office of Swamp Land State Road Commissioner, an average of about 300 days, of ten hours each, during each of the years of 1869 and 1870. I have not found it necessary to work every consecutive day in the whole year, but during the season for building and examining State roads and ditches, I have found it necessary to travel and labor, generally, from 14 to 18 hours per day,—traveling, on an average, more than 50 miles for each day in some of the months of summer and autumn, over the new roads in the sparsely settled portions of the State.

L. B. CURTIS.

The communication was laid on the table.

The committee on engrossment and enrollment submitted the following report:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following entitled bills:

1. House manuscript bill, entitled

A bill to re-incorporate the village of Eaton Rapids;

2. House bill No. 148, entitled

A bill to amend sections 41, 42, 47, 48, 52, and 53, of act 148, of session laws of 1869, being an act to revise and consolidate the several acts relating to the support and maintenance of poor persons, approved April 5th, 1869;

3. House bill No. 205, entitled

A bill to establish a police government for the city of Detroit;

4. House bill No. 255, entitled

A bill to authorize Bay City to borrow money and issue bonds therefor, to construct a plank road from Bay City to Carr's Corners, in the county of Tuscola;

5. House bill No. 258, entitled

A bill to amend sections 4 and 5, of act number 212, of ses-

sion laws of 1861, entitled "An act to authorize the formation of gymnastic associations;"

6. House bill No. 349, entitled

A bill to provide for the incorporation of St. George's societies;

7. House bill No. 162, entitled

A bill to provide for laying out and establishing a State road in the township of Eagle Harbor, county of Keweenaw;

8. House bill No. 169, entitled

A bill to authorize the village of Caro to raise money to aid in the construction of a court-house for the county of Tuscola;

9. House manuscript bill, entitled

A bill to provide for the appointment of three suitable persons commissioners to draft and prepare a bill for the organization of cities and villages by a general law, as contemplated in article 15, section 13, of the constitution;

10. House bill No. 355, entitled

A bill to amend sections 1, 3, 4, 5, 6, 8, and 9, and repeal sections 2 and 7, of an act entitled "An act to provide for the further geological survey of the State," approved March 26th, 1869;

11. House bill No. 396, entitled

A bill to amend sections 1, 15, 22, 30, 34, 38, 43, and 64, of an act entitled "An act to charter the village of New Baltimore," approved March 23, 1867, as amended by act No. 296, session laws of 1869;

12. House bill No. 238, entitled

A bill to amend section 31, of act No. 266, approved March 27th, A. D. 1867, entitled "An act to revise the charter of the village of Hudson;" also, section 52, of act No. 360, approved March 30th, A. D. 1869, entitled "An act to amend an act to revise the charter of the village of Hudson;"

13. House bill No. 127, entitled

A bill to authorize the city of Monroe, in the county of Monroe, to borrow money for bridge purposes within said city, and give bonds therefor;

14. House bill No. 339, entitled

A bill to organize the township of Branch, in the county of Mason;

15. House bill No. 201, entitled

A bill to provide for laying out and constructing a State road in the counties of Clare and Gladwin.

JNO. F. COULTER, *Acting Chairman.*

Report accepted.

The committee on judiciary submitted the following report:

The committee on judiciary, to whom was referred

A bill directing the Secretary of State to provide uniform ballots on constitutional amendments,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Huston,

The rules were suspended, and the bill was placed on the order of third reading.

The committee on judiciary submitted the following report:

The committee on judiciary, to whom was referred House bill No. 11, being

A bill to collect, compile, and reprint the laws of this State.

Together with the substitute therefor adopted by the Senate, respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, recommending that the substitute be not concurred in, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Riford,

The bill was referred to the committee of the whole, and placed on the general order.

On motion of Mr. McGenegal,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Pattengell moved to take from the table Senate bill No. 177, entitled

A bill to prohibit railroad companies from being engaged or interested in draying or carting goods or freights to and from their depots or stations, whose lines of railroad extend one hundred miles or more in length;

Which motion prevailed.

On motion of Mr. McGonegal,

The bill was placed on the order of third reading.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, {
Lansing, April 14, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to re-return to the House the following bill:

House bill No. 290, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Detroit, approved February fifth, one thousand eight hundred and fifty-seven, as amended by the several acts amendatory thereof," and to add several sections thereto, and to repeal several sections thereof,

To which the Senate made the following amendment:

"Insert in section 46, line 17, page 15, after the word 'same,'

the following provisos: ‘*Provided*, That nothing herein contained shall be construed to authorize the inspecting, measuring, weighing, or gauging of any article herein enumerated, which is to be shipped beyond the limits of this State, except at the request of the owner thereof, or of the agent having charge of the same: *And provided further*, That the common council shall not have power to require the measuring of wood or the weighing of hay, except at the request of the seller or purchaser thereof, or the agent of either of them;”

In which amendment the House did not concur, and upon which disagreement a conference committee was appointed, and which committee have recommended as follows: Substitute for amendment in question, the following: “*And provided further*, That the common council shall not have power to require the measuring of wood, except at the request of the seller or purchaser thereof, or the agent of either of them.”

In which recommendation the Senate has concurred.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Pattengell moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Haack,	Mr. P. Mitchell,
Adams,	Harris,	W.H.C. Mitchell,
Andrews,	Hart,	Moshier,
Brockway,	J. Haynes,	Norris,
Brown,	Haywood,	Pattengell,
Cherry,	N. R. Hill,	Pearl,
Clement,	S. W. Hill,	Phillips,
Climie,	Holland,	Priest,
Cochrane,	Holt,	Riford,
Congdon,	Houseman,	Rood,
Crane,	Hoyt,	Roost,
Crofoot,	Hughes,	Ross,
Doty,	Hurlbut,	Smith,
Edwards,	Kellogg,	Sumner,

Mr. Ferris, Ferry, Garrison, C. B. Grant, R. J. Grant, Gorman, Green, Greusel,	Mr. Knapp, Lamb, Little, McGonegal, E. R. Miller, N. L. Miller, Millington, Minne,	Mr. Thayer, Van Scoy, Walker, Walton, Webster, Wells, Williams, Speaker,	66
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NAYS.

Mr. Dalton,	Mr. Gibson,	2
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The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, April 14, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to re-transmit the following joint resolution :

Senate joint resolution No. 16, entitled

Joint resolution proposing an amendment to section 7, article 6, and section 1, article 9, of the constitution of the State, relative to the number and limits of judicial circuits and the salaries of the judges of the circuit courts,

Which the House amended by striking out, in line 3, of section 2, the word "three," and inserting in place thereof the word "two;"

And to inform the House that the Senate does not concur in said amendment.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Cameron moved that the House insist on its amendment;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adam, Adams. Adsit,	Mr. R. J. Grant, Gorman, Gray,	Mr. P. Mitchell, Montgomery, Norris,
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Mr. Andrews,	Mr. Green,	Mr. J. M. Osborn,
Bates,	Haack,	Pattengell,
Brockway,	Hart,	Pearl,
Brown,	J. Haynes,	Phillips,
Cameron,	Haywood,	Pierson,
Chamberlain,	S. W. Hill,	Priest,
Cherry,	Holland,	Riford,
Childs,	Holt,	Rood,
Clement,	Huff,	Roost,
Climie,	Hughes,	Ross,
Cochrane,	Hurlbut,	Runyan,
Copley,	Huston,	Smith,
Coulter,	Kellogg,	Sumner,
Crane,	Knapp,	Thayer,
Crofoot,	Lamb,	Van Scoy,
Edwards,	Little,	Walker,
Ferris,	McGonegal,	Walton,
Ferry,	E. R. Miller,	Webster,
Garfield,	N. L. Miller,	Wells,
Gillam,	Millington,	Williams,
C. B. Grant,	Minne,	Speaker,

NAYS.

Mr. Congdon, Mr. Garrison, Mr. Gibson, 3

Mr. Gillam moved to reconsider the vote by which the House passed House bill No. 381, entitled

A bill to provide for the drainage and reclamation of swamp lands, by deepening and improving the outlet of Duck lake, in township 19 north, of range 6 east, in Bay county ;

Which motion prevailed.

Mr. Riford moved that the Clerk be directed to request the Senate to return the bill to the House ;

Mr. Brockway moved to lay the motion on the table ;

Which motion did not prevail.

The motion of Mr. Riford then prevailed.

Mr. J. Haynes moved that the Clerk be directed to request the Senate to return to the House Senate bill No. 175, entitled

A bill to amend section 1, of an act entitled "An act relative to laying out, altering, and discontinuing highways," approved March 15, 1861 ;

Which motion prevailed.

The committee on supplies and expenditures submitted the following report:

The committee on supplies and expenditures report the following as the amount of stationery drawn by the committees and officers, respectively, of the House, the accounts for which are duly certified to in proper manner, and of which several amounts your committee recommend the payment:

Com. on Ways and Means.....	\$	30 00
“ “ State Affairs.....		8 92
“ “ Judiciary.....		65 04
“ “ Harbors.....		13 60
“ “ Elections.....		13 09
“ “ Federal Relations.....		8 15
“ “ Banks and Incorporations.....		17 43
“ “ Public Lands.....		9 52
“ “ Printing.....		30 63
“ “ Agriculture.....		10 21
“ “ Towns and Counties.....		11 18
“ “ Education.....		19 30
“ “ Rules and Joint Rules.....		3 03
“ “ Engrossment and Enrollment.....		46 29
“ “ Roads and Bridges.....		15 36
“ “ Agricultural College.....		7 26
“ “ Asylum for the Insane.....		10 85
“ “ Asylum for the Deaf, Dumb, and Blind....		12 98
“ “ Reform School.....		6 80
“ “ Geological Survey.....		10 90
“ “ Military Affairs.....		7 10
“ “ State Prison.....		6 58
“ “ Mines and Minerals.....		25 86
“ “ Manufactures.....		5 35
“ “ Lumber Interests.....		3 99
“ “ Insurance.....		8 71
“ “ Immigration.....		6 05

Com. on Fisheries.....	\$12 53
“ “ Internal Improvements.....	34 96
“ “ Supplies and Expenditures.....	387 92
“ “ State Library.....	6 51
“ “ Drainage.....	15 74
“ “ Local Taxation.....	2 33
“ “ Apportionment.....	5 26
“ “ Governor's Message.....	80
Clerk House of Representatives.....	153 60

\$1,033 83

PHILO DOTY, *Chairman.*

The report was accepted and adopted.

The committee on ways and means submitted the following report:

The committee on ways and means, to whom was referred

A bill to provide for the payment of a uniform State bounty to volunteers mustered from this State into the military service of the United States during the great rebellion,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Chamberlain,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Holt,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Garrison,	Mr. P. Mitchell,
Adams,	Gibson,	W.H.C. Mitchell,
Adsit,	C. B. Grant,	Montgomery,
Andrews,	R. J. Grant,	Norris,
Atwood,	Green,	J. M. Osborn,
Brockway,	Haack,	Pattengell,
Brown,	Harris,	Phillips,
Cameron,	Hart,	Priest,
Chamberlain,	H. Haynes,	Riford,
Cherry,	J. Haynes,	Rood,
Childs,	Haywood,	Roost,
Clement,	S. W. Hill,	Ross,
Climie,	Holland,	Runyan,
Cochrane,	Holt,	Smith,
Congdon,	Huff,	Sumner,
Copley,	Hughes,	Swineford,
Coulter,	Hurlbut,	Thayer,
Crane,	Huston,	Van Scoy,
Crofoot,	Kellogg,	Walker,
Dalton,	Lamb,	Walton,
Doty,	Little,	Webster,
Edwards,	McGonegal,	Wells,
Ferris,	Millington,	Williams,
Ferry,	Minne,	Speaker,
Garfield,		

73

NAYS.

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The question being on agreeing to the title,

On motion of Mr. Holt,

The title was amended so as to read as follows:

A bill to repeal section 3, of an act entitled "An act to provide for the payment of bounties by the State Treasurer upon the warrant of the Auditor General."

The title, as amended, was then agreed to.

The committee on internal improvements submitted the following report:

The committee on internal improvements, to whom was referred Senate bill No. 64, being

A bill to regulate the transportation of freight and passengers, and the management of railroads of this State not in-

incorporated under an act entitled "An act to provide for the incorporation of railroad companies," as approved February 12, 1855,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Gillam,

The House concurred in the amendments made to the bill by the committee.

The question being on the passage of the bill,

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gorman,	Mr. P. Mitchell,
Adsit,	Gray,	W.H.C. Mitchell.
Andrews,	Greusel,	Montgomery.
Atwood,	Haack,	Norris,
Barnaby,	Hart,	J. M. Osborn.
Brockway,	J. Haynes,	Pierson,
Brown,	Haywood,	Post,
Cameron,	S. W. Hill,	Priest,
Chamberlain,	Holland,	Riford,
Cherry,	Holt,	Rood,
Childs,	Huff,	Roost,
Climie,	Hughes,	Ross,
Cochrane,	Hurlbut,	Runyan,
Congdon,	Huston,	Smith,
Coulter,	Kellogg.	Sumner,
Crane,	Knapp,	Swineford,
Crofoot,	Lamb,	Thayer,
Dalton,	Little,	Van Scoy,
Ferry,	McGonegal,	Walton,
Garfield,	E. R. Miller,	Webster,

Mr. Garrison,	Mr. N. L. Miller,	Mr. Wells,	
Gibson,	Millington,	Williams,	
C. B. Grant,	Minne,	Speaker,	69

NAYS.

Mr. R. J. Grant,	1
Title agreed to.	

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, April 14, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bills:

1. House bill No. 389, entitled

A bill to amend sections 1, 2, 3, and 4, of an act entitled "An act to lay out and establish a State road from Angell" Landing (so called), on section 28, in township 29 north, of range 8 west, in the county of Antrim, to the center of township 29 north, of range one west, in the county of Otsego," being act No. 432, of the session laws of 1869, approved April 3, 1869;

2. House bill No. 376, entitled

A bill providing for the construction of a ditch or drain in the townships of Newark and Arcada, in the county of Gratiot, and appropriating State swamp land for the construction of the same;

3. House bill No. 427, entitled

A bill to amend sections 23 and 25, of chapter 72, of the revised statutes of 1846, being sections 2938 and 2940 of the compiled laws, relative to appeals from the decision of commissioners on the estates of deceased persons;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the

same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, April 14, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill :

House bill No. 428, entitled

A bill to change the name of Trinity Church of Lower Saginaw to Trinity Church of Bay City ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, April 14, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill :

House bill No. 415, entitled

A bill to facilitate the business of circuit court commissioners, and to repeal act number 6, of the session laws of 1869, approved January 30, 1869,

And to inform the House that the Senate has amended the title by striking out all after the word "commissioners;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The title, as amended by the Senate, was agreed to.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The committee on ways and means submitted the following report:

The committee on ways and means, to whom was referred Senate bill No. 227, being

A bill to amend sections 15, 16, 18, 25, and 164, of an act entitled "An act to provide for the uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, A. D. 1869;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Thayer,

The bill was laid on the table.

Senate manuscript bill, entitled

A bill directing the Secretary of State to provide the electors of this State with uniform ballots on constitutional amendments,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Riford moved to amend the bill by striking out all of section 2 ;

Which motion prevailed.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Gorman,	Mr. W.H.C. Mitchell.
Andrews,	Gray,	Montgomery,
Barnaby,	Green,	Moshier,
Brockway,	Greusel,	Norris,
Brown,	Hart,	C. Y. Osburn,
Cameron,	H. Haynes,	J. M. Osborn,
Chamberlain,	J. Haynes,	Pierson,
Cherry,	Haywood,	Post,
Childs,	N. R. Hill,	Priest,
Clement,	Hoyt,	Riford,
Climie,	Huff,	Rood,
Cochrane,	Hughes,	Roost,
Copley,	Hurlbut,	Runyan,
Coulter,	Huston,	Smith,
Crane,	Kellogg,	Sumner,
Crofoot,	Knapp,	Swineford,
Doty,	Lamb,	Van Scoy,
Ferris,	Little,	Walker,
Garfield,	McGonegal,	Walton,
Garrison,	E. R. Miller,	Wells,
Gibson,	Millington,	Williams,
Gillam,	P. Mitchell,	Speaker,
C. B. Grant,		

67

NAYS.

Mr. Congdon,

1

Title agreed to.

Senate bill No. 177, entitled

A bill to prohibit railroad companies from being engaged or interested in draying or carting goods or freights to and from their depots or stations, whose lines of railroad extend one hundred miles or more in length,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Brown,	Mr. R. J. Grant,	Mr. W.H.C. Mitchell,
Cameron,	Gorman,	Norris,
Chamberlain,	Houseman,	Phillips,
Cherry,	Hoyt,	Priest,
Childs,	Huff,	Riford,
Clement,	Hughes,	Roost,
Congdon,	Hurlbut,	Smith,
Coulter,	Huston,	Walker,
Crane,	Kellogg,	Walton,
Crofoot,	McGonegal,	Wells,
Ferry,	Millington,	Williams,
Gibson,	P. Mitchell,	Speaker, 36

NAYS.

Mr. Adam,	Mr. Gillam,	Mr. E. R. Miller,
Adams,	C. B. Grant,	N. L. Miller,
Adsit,	Gray,	Moshier,
Andrews,	Green,	C. Y. Osburn,
Bates,	Haack,	Pierson,
Climie,	J. Haynes,	Post,
Cochrane,	Haywood,	Rood,
Copley,	N. R. Hill,	Runyan,
Doty,	S. W. Hill,	Swineford,
Ferris,	Holland,	Webster,
Garfield,	Knapp,	White,
Garrison,	Lamb,	35

Mr. C. B. Grant offered the following :

Resolved, That one dollar per day, in addition to their per diem allowance, be paid to Samuel F. Cook and John C. Howland, Assistant Clerks of this House, for their services during this session.

Mr. Cameron moved to amend the resolution so as to include the Engrossing and Enrolling Clerk and his assistant.

Which was accepted.

Mr. Riford moved to amend the resolution so as to include the Sergeant-at-Arms and his assistant ;

Which motion prevailed.

Mr. Millington demanded the yeas and nays on the adoption of the resolution ;

The demand was seconded, and the resolution was not adopted, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Haack,	Mr. McGonegal,
Atwood,	J. Haynes,	P. Mitchell,
Barnaby,	Haywood,	W.H.C. Mitchell.
Bates,	N. R. Hill,	C. Y. Osburn,
Cameron,	S. W. Hill,	Priest,
Cochrane,	Holland,	Riford,
Coulter,	Holt,	Roof,
Crofoot,	Houseman,	Roost,
Gibson,	Hoyt,	Smith,
C. B. Grant,	Hughes,	Swineford,
R. J. Grant,	Huston,	Walton,
Gorman,	Little,	

35

NAYS.

Mr. Adam,	Mr. Ferry,	Mr. Millington,
Adsit,	Garfield.	Norris,
Andrews,	Gray,	Phillips,
Brown,	Green,	Post,
Chamberlain,	Hart,	Rood,
Cherry	H. Haynes,	Runyan,
Childs,	Huff,	Van Scoy,
Clement,	Hurlbut,	Walker,
Climie,	Kellogg,	Webster,
Congdon,	Knapp,	Wells,
Copley,	Lamb,	White,
Crane,	E. R. Miller,	Williams,
Ferris,	R. C. Miller,	

38

Mr. Swineford moved to take from the table House bill No. 317, being

A bill to provide for laying out and establishing a State road from the New England Mine to the Michigan Furnace, in the county of Marquette, and making an appropriation of State swamp lands to aid in the construction thereof;

Which motion did not prevail.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, {
Lansing, April 14, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following:
House bill No. 404, entitled

A bill to provide a tax for the expenses of the State government,

And to inform the House that the Senate has amended the bill so as to read as follows:

SECTION 1. *The People of the State of Michigan enact*, That there shall be levied upon the aggregate of the taxable real and personal estate of the State, in the year eighteen hundred and seventy-one, two hundred and fifty thousand dollars, and in the year eighteen hundred and seventy-two, three hundred thousand dollars, and the same is hereby appropriated for the payment of the expenses of the State government, and the interest upon the State debt not otherwise provided for.

SEC. 2. The Auditor General shall apportion each year the sums herein directed to be levied among the several counties, in proportion to the taxable property therein, as shall be determined by the State Board of Equalization, in the year eighteen hundred and seventy-one; and he shall, on or before the 15th day of September, in each year, make out and transmit to the clerk of the several boards of supervisors, the amount of such tax so apportioned by him to the county, and shall charge the several amounts so apportioned to the counties respectively;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Holt moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adsit,
Andrews,
Barnaby,

Mr. Green,
Greusel,
Haack,
Hart,

Mr. C. Y. Osburn,
Pattengell,
Phillips,
Pierson,

Mr. Brown,	Mr. J. Haynes.	Mr. Post,	
Chamberlain,	N. R. Hill,	Priest,	
Cherry,	S. W. Hill.	Riford,	
Childs,	Holt,	Rood,	
Clement,	Huff,	Roof,	
Climie,	Huston,	Roost,	
Congdon,	Kellogg,	Smith,	
Copley,	Knapp,	Sumner,	
Coulter,	Lamb,	Swineford,	
Crane,	Little,	Van Scoy	
Crofoot.	McGonegal,	Walker,	
Edwards,	E. R. Miller,	Walton,	
Ferris,	R. C. Miller,	Wells,	
Ferry,	Millington,	White,	
Garfield,	W.H.C. Mitchell,	Williams,	
C. B. Grant,	Moshier,	Speaker,	62
R. J. Grant,	Norris,		
	NAYS.		0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 14, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to transmit to the House the following bill:

Senate bill No. 175, entitled

A bill to amend section one, of an act entitled "An act relative to laying out, altering, and discontinuing highways," approved March fifteenth, eighteen hundred and sixty-one.

In compliance with the request of the House.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

On motion of Mr. J. Haynes,

The vote by which the House refused to pass the bill was reconsidered.

The question being on the passage of the bill,

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. P. Mitchell,
Andrews,	Gray,	Montgomery,
Atwood,	Green,	Moshier,
Barnaby,	Haack,	Norris,
Bates,	J. Haynes,	C. Y. Osburn,
Cameron,	N. R. Hill,	Pattengell,
Chamberlain.	S. W. Hill,	Phillips,
Cherry,	Holt,	Pierson,
Childs,	Houseman,	Post,
Climie,	Hoyt,	Priest,
Copley,	Huff,	Riford,
Coulter,	Hughes,	Rood,
Crane,	Hurlbut,	Roof,
Crofoot,	Huston,	Smith,
Dalton,	Kellogg,	Van Scoy,
Ferris,	Knapp,	Walker,
Ferry,	Lamb,	Walton,
Garfield,	Little,	Wells,
Gibson,	E. R. Miller,	Williams,
Gillam,	N. L. Miller,	Speaker,
C. B. Grant,	R. C. Miller,	62

NAYS.

Mr. Adsit,	Mr. Edwards,	Mr. Roost,
Brown,	Gorman,	Sumner,
Clement,	Greusel,	White,
Congdon,		10

Title agreed to.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 14, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 381, entitled

A bill to provide for the drainage and reclamation of swamp lands, by deepening and improving the outlet of Duck Lake in township nineteen north, of range six east, in Bay county, In compliance with the request of the House.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The question being on the passage of the bill,

On motion of Mr. Ferris,

The bill was laid on the table.

The Speaker also announced the following :

SENATE CHAMBER,)
Lansing, April 14, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following:

House bill No. 330, entitled

A bill to amend section 127, of act No. 186, of the session laws of 1863, being an act entitled "An act to amend an act entitled 'An act to amend sections 11 and 127, of chapter 117, of the compiled laws, relative to security for costs in justices' courts,'"

And to inform the House that the Senate has amended the same by adding the following to section 127:

"And provided further, That no retaining or attorney fee shall be reserved upon such trial and judgment, except as is provided by act No. 161, of the session laws of 1867, entitled 'An act for the protection of the rights of females,' approved March 27, 1867: *And provided further,* That the taxable costs of the prevailing party shall not exceed six dollars in all suits upon contract, and shall not exceed ten dollars in all other cases, and the costs of the prevailing party shall not be deemed to include jury fees, court fees, or officer's fees for serving any process except subpoenas for witnesses;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect

Very respectfully,

HENRY S. SLEEPER,
Secretary of the Senate.

Mr. Montgomery moved that the House concur in the amendment made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Ferris,	Mr. N. L. Miller,
Adams,	Ferry,	P. Mitchell,
Adsit,	Garfield,	Montgomery,
Andrews,	Gibson,	Moshier,
Atwood,	Gillam,	Norris,
Barnaby,	O. B. Grant,	Pattengell,
Brown,	Green,	Post,
Cameron,	Haack,	Priest,
Chamberlain,	Hart,	Riford,
Cherry,	J. Haynes,	Rood,
Childs,	Haywood,	Roof,
Clement,	N. R. Hill,	Roost,
Cochrane,	S. W. Hill,	Smith,
Congdon,	Houseman,	Sumner,
Copley,	Huff,	Van Scoy,
Coulter,	Hughes,	Walker,
Crane,	Hurlbut,	Wells,
Crofoot,	E. R. Miller,	Speaker,
Edwards,		

55

NAYS.

Mr. R. J. Grant,	Mr. Huston,	Mr. R. C. Miller,
Greusel,	Lamb,	Williams,

6

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

Mr. Huston moved to discharge the committee of the whole from the further consideration of the following bills:

1. Senate bill No. 219, entitled

A bill to amend sections 1 and 3, of act No. 76, of the session laws of 1867, being an act entitled "An act to provide for the appointment of a commissioner to be known as the Swamp Land State Road Commissioner," approved March 21, 1867;

2. Senate bill No. 212, entitled

A bill to amend an act entitled "An act to revise and amend an act entitled 'An act to incorporate the city of Bay City,' approved March 21, 1865, being act number 348, of the session laws of 1867;"

3. Senate joint resolution, entitled

Joint resolution for the payment of printing done by James O'Donnell;

4. House bill No. 430, entitled

A bill to amend act number 16, of the session laws of 1864, entitled "An act to authorize the formation of corporations for the running, booming, and rafting of logs," as amended by act number 92, of the session laws of 1865, entitled "An act to amend section 14, of act number 16, of the session laws of 1864, entitled 'An act to authorize the formation of corporations for the running, rafting, and booming of logs,' by adding a new section thereto, to stand as section 22;"

5. Senate manuscript bill, entitled

A bill to authorize the establishment of a house of correction in the county of Jackson;

6. House bill No. 11, entitled

A bill to collect, compile, and reprint the laws of this State. Which motion prevailed.

On motion of Mr. Huston,

The bills were placed on the order of third reading.

Mr. Adams offered the following:

Whereas, The messenger boys of this House have received no mileage; therefore,

Resolved by this House, That the messengers be allowed ten cents per mile for distance actually traveled by them, in coming from and returning to their homes;

Which was adopted.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, April 15, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following joint resolution,

Senate joint resolution No. 16, entitled

Joint resolution proposing an amendment to section seven,

article six, and section one, article nine, of the constitution of the State, relative to the number and limits of judicial circuits and the salaries of the judges of the circuit courts,

Which the House amended by striking out, in line 3, of section 2, the word "three," and inserting in place thereof the word "two;"

In which amendment the Senate refused to concur, and upon which the House insists, and to inform the House that the Senate insists on its disagreement.

I am directed to inform the House that the Senate requests a committee of conference on said disagreement, to consist of three from each House. The Senate has appointed as members of such committee on the part of the Senate, Senators Wheeler, Randall, and Gay.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Huston moved that a committee of three be appointed on the part of the House to act in connection with the committee appointed by the Senate in regard to the disagreement of the two Houses;

Which motion prevailed.

The Speaker announced as such committee, Messrs. Huston, Ferris, and Smith.

The committee on internal improvements submitted the following report :

The committee on internal improvements, to whom was referred

A bill to amend sections 32 and 33, of the general railroad law of this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the

substitute do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Gray,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Holt,

The rules were suspended, and the bill was placed upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Gibson,	Mr. N. L. Miller,
Adsit,	C. B. Grant,	R. C. Miller,
Andrews,	R. J. Grant,	Millington,
Atwood,	Gorman,	P. Mitchell,
Barnaby,	Gray,	Moshier,
Bates,	Green,	Norris,
Brockway,	Greusel,	C. Y. Osburn,
Brown,	Haack,	J. M. Osborn,
Cameron,	J. Haynes,	Pattengell,
Chamberlain,	S. W. Hill,	Pierson,
Cherry,	Holland,	Post,
Childs,	Holt,	Priest,
Clement,	Houseman,	Riford,
Climie,	Huff,	Rood,
Cochrane,	Hughes,	Runyan,
Copley,	Hurlbut,	Smith,
Crane,	Huston,	Sumner,
Orofoot,	Knapp,	Van Scoy,
Doty,	Lamb,	Walker,
Edwards.	Little,	Walton,
Ferris,	McGonegal,	Wells,
Garfield,	E. R. Miller,	Speaker,
Garrison,		

67

NAYS.

Mr. Coulter,	Mr. Ferry,	Mr. Williams,	3
The question being on agreeing to the title,			

On motion of Mr. Holt,

The title was amended so as to read as follows :

A bill to provide for giving notice to county treasurers of lists of railroad grant lands which have become taxable.

The title, as amended, was then agreed to.

Mr. Climie moved to take from the table House bill No. 272, entitled

A bill to provide for the incorporation and charter of children's banking associations ;

Which motion did not prevail.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, April 14, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill :

House bill No. 363, entitled

A bill to amend section 1, of act No. 467, of the laws of 1869, entitled " An act to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, from Tawas Bay, in Iosco county, to the west line of said county, to the intersection of the Midland and Traverse Bay State road,"

And to inform the House that the Senate has amended the same by striking out all of section 1, after the word " west," in line 10, and inserting in place thereof the words " to the west line of Iosco county ;" also, that the Senate has amended the title by striking out all after the word " county," in the last line, and the enacting clause by striking out all of line 4 after the word " county,"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,
Secretary of the Senate.

Mr. J. Haynes moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. Millington,
Adsit,	Gorman,	P. Mitchell,
Atwood,	Green,	W.H.C. Mitchell.
Barnaby,	Greusel,	Norris,
Brockway,	Haack,	C. Y. Osburn,
Cherry,	Hart,	J. M. Osborn,
Climie,	J. Haynes,	Pattengell,
Cochrane,	N. R. Hill,	Pierson,
Copley,	S. W. Hill,	Post,
Coulter,	Holland,	Priest,
Crofoot,	Houseman,	Riford,
Doty,	Huff,	Rood,
Edwards,	Hughes,	Roof,
Fenton,	Kellogg,	Smith,
Ferris,	Knapp,	Sumner,
Ferry,	Lamb,	Van Scoy,
Garfield,	Little,	Walker,
Garrison,	McGonegal,	Wells,
Gibson,	E. R. Miller,	Williams,
Gillam,	N. L. Miller,	Speaker,
C. B. Grant,	R. C. Miller,	

62

NAYS.

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The title, as amended by the Senate, was then agreed to.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The committee on State affairs submitted the following report :

The committee on State affairs, to whom was referred Senate bill No. 45, being

A bill to amend an act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, approved April 3d, 1869, and to add a new section thereto, to stand as section 8, and to repeal an act entitled " An act to amend sections 1, 2, and 6, of an act entitled ' An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils,' " approved April 3d, 1869, by act 128,

of the session laws of 1869, and to add thereto a new section, to stand as section 8 of said act, approved March 22d, 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

A. CAMERON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bates,

The bill was laid on the table.

Mr. Atwood moved to take from the table Senate bill No. 204, entitled

A bill to amend section 1, of act number 42, session laws of 1867, as amended by act 469, of the session laws of 1869, being an act entitled "An act to make an additional appropriation for the construction of the Midland City, Houghton Lake and Grand Traverse Bay State road," approved April 5th, 1869;

Which motion prevailed.

The question being on the passage of the bill,

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Gray,	Mr. Moshier,
Adams,	Greusel,	C. Y. Osburn,
Adsit,	Haack,	J. M. Osborn,
Andrews,	J. Haynes,	Pattengell,
Atwood,	Haywood,	Pearl,
Barnaby,	N. B. Hill,	Phillips,
Bates,	S. W. Hill,	Pierson,
Brockway,	Holland,	Post,
Cameron,	Hoyt,	Priest,
Cherry,	Hughes,	Rood,
Climie,	Hurlbut,	Roof,
Cochrane,	Huston,	Ross,
Crofoot,	Little,	Runyan,
Doty,	McGonegal,	Swineford,
Garrison,	E. R. Miller,	Thayer,

Mr. Gibson,
C. B. Grant,
R. J. Grant,

Mr. R. C. Miller,
Millington,
W.H.C. Mitchell,

Mr. Webster,
Wells,
Speaker, 54

NAYS.

Mr. Brown,
Chamberlain,
Childs,
Clement.
Congdon,
Copley,
Coulter,
Edwards,
Ferris,
Ferry,

Mr. Garfield,
Gillam,
Green,
Hart,
Houseman,
Huff,
Knapp,
Lamb,
N. L. Miller,

Mr. P. Mitchell,
Norris,
Riford,
Roost,
Sumner,
Van Scoy,
Walker,
Walton,
Williams,

28

Title agreed to.

On motion of Mr. Atwood,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

THIRD READING OF BILLS.

Senate joint resolution No. 19, entitled

Joint resolution for the payment of printing done by James O'Donnell,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adsit,
Atwood,
Barnaby,
Bates,
Brockway,
Brown,
Cameron,
Cherry,
Childs,
Clement,
Congdon,
Copley,
Coulter,
Crane,
Doty,

Mr. Gorman,
Green,
Greusel,
Haack,
Hart,
J. Haynes,
N. B. Hill,
S. W. Hill,
Holland,
Houseman.
Hoyt,
Huff,
Hughes,
Hurlbut,
Huston,
Lamb,

Mr. Montgomery,
Norris,
C. Y. Osburn,
Pattengell,
Phillips,
Pierson,
Post,
Priest,
Riford,
Rood,
Roof,
Roost,
Ross,
Smith,
Sumner,
Swineford,

Mr. Edwards,	Mr. Little,	Mr. Thayer,	
Ferris,	McGonegal,	Walker,	
Ferry,	E. R. Miller,	Walton,	
Garfield,	N. L. Miller,	Webster,	
Garrison,	R. C. Miller,	Wells,	
Gillam,	Millington,	Williams,	
C. B. Grant,	P. Mitchell,	Speaker,	
R. J. Grant,	W.H.C.Mitchell,		71
	NAYS.		0

Title and preamble agreed to.

Mr. R. J. Grant moved to take from the table Senate bill No. 45, entitled

A bill to amend "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils," approved April 3, 1869, and to add a new section thereto, to stand as section 8, and to repeal an act entitled 'An act to amend sections 1, 2, and 6, of an act entitled An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, approved April 3d, 1869, being act 128, of the session laws of 1869, and to add thereto a new section, to stand as section 8, of said act,' approved March 22, 1871;,"

Which motion prevailed.

On motion of Mr. R. J. Grant,

The bill was placed on its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

On motion of Mr. Gillam,

The bill was laid on the table.

House bill No. 40, entitled

A bill to amend act No. 16, of the session laws of 1864, entitled "An act to authorize the formation of corporations for the running, booming, and rafting of logs, as amended by act No. 92, of the session laws of 1865, entitled 'An act to amend section 14, of act No. 16, of the session laws of 1864, entitled An act to authorize the formation of corporations for the running, rafting, and booming of logs,'" by adding a new section thereto, to stand as section 22,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. J. Haynes,

The bill was laid on the table.

Mr. Ferry asked and obtained leave of absence for himself indefinitely.

Senate bill No. 212, entitled

A bill to amend sections 6, 14, and 19, of an act entitled "An act to revise and amend an act entitled 'An act to revise and amend an act entitled An act to incorporate the city of Bay City,' approved March 21, 1865, being act No. 348, of the session laws of this State for the year 1867," approved March 20, 1869,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Garfield,	Mr. C. Y. Osburn,
Adams,	Garrison,	J. M. Osborn,
Adsit,	Gillam,	Pattengell,
Andrews,	C. B. Grant,	Phillips,
Bates,	R. J. Grant,	Post,
Brockway,	Gray,	Priest,
Brown,	Greusel,	Rood,
Cameron,	J. Haynes,	Roof,
Chamberlain,	N. R. Hill,	Roost,
Cherry,	Hoyt,	Runyan,
Clement,	Huff,	Smith,
Climie,	Hughes,	Sumner,
Cochrane,	Huston,	Swineford,
Congdon,	Knapp,	Thayer,
Copley,	Lamb,	Walker,
Crane,	Little,	Walton,
Dalton,	E. R. Miller,	Webster,
Doty,	Millington,	Wells,
Edwards,	W.H.C. Mitchell.	Williams,
Ferris,	Norris,	Speaker,

NAYS.

60

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Title agreed to.

On motion of Mr. Bates,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. N. R. Hill asked and obtained leave of absence for himself indefinitely.

Mr. N. L. Miller asked and obtained leave of absence for himself indefinitely.

The following report was submitted:

The committee of conference appointed to act with a like committee on the part of the Senate, to consider the disagreement of the two Houses on Senate joint resolution No. 16, being

Joint resolution proposing an amendment to section 7, article 6, and section 1, article 9, of the constitution of the State, relative to the number and limits of judicial circuits and the salaries of the judges of the circuit courts,

Respectfully report that the two committees have considered the matter of disagreement, and have unanimously agreed to amend the said joint resolution so as to fix the salaries of the circuit judges at \$2,500; recommending that said amendment be concurred in, and that said joint resolution, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman*.

Report accepted and committee discharged.

Mr. Ferris moved that the House concur in the recommendations of the committee of conference.

Mr. Huston moved that there be a call of the House;

Which motion did not prevail.

The motion to concur did not prevail, two-thirds of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. R. J. Grant,	Mr. Minne,
Adams,	Gray,	P. Mitchell,
Adsit,	Green,	W.H.C. Mitchell
Andrews,	Greusel,	Montgomery,
Barnaby,	Haack,	Moshier,
Bates,	H. Haynes.	Norris,
Brockway,	J. Haynes,	C. Y. Osburn,
Cameron,	S. W. Hill,	Pattengell,

Mr. Chamberlain,	Mr. Holland,	Mr. Phillips,
Cherry,	Holt,	Poet,
Clement,	Houseman,	Riford,
Climie,	Hoyt,	Roof,
Cochrane,	Huff,	Roost,
Crofoot,	Hughes,	Smith,
Dalton,	Hurlbut,	Swineford,
Doty,	Knapp,	Thayer,
Ferris,	Lamb,	Van Scoy,
Garrison,	McGonegal,	Wells,
Gillam,	E. R. Miller,	Speaker,
C. B. Grant,	Millington,	

59

NAYS.

Mr. Brown,	Mr. Hart,	Mr. Rood,
Childs,	Huston,	Ross,
Congdon,	Kellogg,	Runyan,
Copley,	N. L. Miller,	Sumner,
Coulter,	R. C. Miller,	Walker,
Crane,	J. M. Osborn,	Walton,
Edwards,	Pearl,	Webster,
Garfield,	Pierson,	Williams,
Gorman,	Priest,	

26

Mr. Huston moved to reconsider the vote by which the House refused to concur in the recommendations of the committee; Which motion prevailed.

Mr. Montgomery moved that there be a call of the House; Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs Fenton, Gibson, Grosvenor, Harris, Hazen, Pearl, and Roost.

On motion of Mr. Williams,

All further proceedings under the call were dispensed with.

The question being on concurring in the recommendations of the committee of conference,

The motion prevailed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Greusel,	Mr. W.H.C. Mitchell,
Adams,	Haack,	Montgomery,

Mr. Adsit,	Mr. H. Haynes,	Mr. Moshier,
Andrews,	J. Haynes,	Norris,
Atwood,	Haywood,	C. Y. Osburn,
Barnaby,	S. W. Hill,	Pattengell,
Bates,	Holland,	Phillips,
Brockway,	Holt,	Post,
Cameron,	Houseman,	Riford,
Chamberlain,	Hoyt,	Rood,
Cherry,	Huff,	Roof,
Clement,	Hughes,	Roost,
Climie,	Hurlbut,	Ross,
Orofoot,	Huston,	Smith,
Dalton,	Knapp,	Swineford,
Doty,	Lamb,	Thayer,
Ferris,	Little,	Van Scoy,
Garrison,	McGonegal,	Walton,
Gillam,	E. R. Miller,	Webster,
C. B. Grant,	Millington,	Wells,
R. J. Grant,	Minne,	White,
Gray,	P. Mitchell,	Speaker,
Green,		

67

NAYS.

Mr. Brown,	Mr. Gorman,	Mr. Pierson,
Ohilds,	Hart,	Priest,
Congdon,	Kellogg,	Runyan,
Copley,	N. L. Miller,	Sumner,
Coulter,	R. C. Miller,	Walker,
Edwards,	J. M. Osborn,	Williams,
Garfield,	Pearl,	

20

Senate manuscript bill, entitled

A bill to authorize the establishment of a house of correction in the county of Jackson,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Greusel,	Mr. Montgomery,
Adams,	Hasck,	Moshier,
Adsit,	Hart,	C. Y. Osburn,
Andrews,	H. Haynes,	J. M. Osborn,
Atwood,	J. Haynes,	Pattengell,
Barnaby,	Haywood,	Phillips,
Bates,	S. W. Hill,	Pierson,
Brockway,	Holland,	Post,

Mr. Brown,	Mr. Holt,	Mr. Priest,
Chamberlain,	Hoyt,	Riford,
Cherry,	Huff,	Roof,
Clement,	Hughes,	Roost,
Coulter,	Hurlbut,	Ross,
Crofoot,	Huston,	Smith,
Dalton,	Kellogg,	Sumner,
Doty,	Knapp,	Swineford,
Edwards,	Lamb,	Thayer,
Ferris,	Little,	Van Scoy,
Garfield,	McGonegal,	Walker,
Garrison,	E. R. Miller,	Walton,
Gillam,	N. L. Miller,	Webster,
C. B. Grant,	R. C. Miller,	Wells,
R. J. Grant,	Minne,	White,
Gray,	W.H.C. Mitchell,	Speaker,
Green,		

73

NAYS.

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Title agreed to.

Senate manuscript bill, entitled

A bill to provide for the appointment of two commissioners to prepare the general laws of this State for the proper compilation of the same,

Being under consideration,

On motion of Mr. Brockway,

The bill was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,)
Lansing, April 14, 1871. {

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to provide for giving notice to county treasurers of lists of railroad grant lands which have become taxable;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, April 14, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to return the following bills:

1. House manuscript bill, entitled

A bill to repeal section 3, of an act entitled “An act to provide for the payment of bounties by the State Treasurer, upon the warrant of the Auditor General;”

2. House manuscript bill, entitled

A bill to authorize justices of the peace residing within the corporate limits of the village of Eaton Rapids, to hold courts at any place within the corporate limits of said village;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, April 14, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to create a Board of State Swamp Land Road Commissioners, and to repeal act No. 76, of the session laws of 1867,

And to inform the House that the Senate has amended the same by adding the following, to stand as section 17:

"SEC. 17. But nothing contained in this act shall be construed as authorizing the appropriation of any lands in the Upper Peninsula to aid in constructing roads in the Lower Peninsula, or in any way impairing the powers of the Swamp Land State Road Commissioner of the Upper Peninsula;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Chamberlain moved that the House concur in the amendment made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,	Mr. Green,	Mr. Montgomery,
Adams,	Greusel,	Moshier,
Adsit,	Grosvenor,	Norris,
Andrews,	Hart,	Pearl,
Atwood,	H. Haynes,	Pierson,
Barnaby,	J. Haynes,	Post,
Cameron,	Holland,	Priest,
Chamberlain,	Holt,	Riford,
Cherry,	Huff,	Roof,
Clement,	Hughes,	Roost,
Cochrane,	Hurlbut,	Ross,
Copley,	Kellogg,	Runyan,
Coulter,	Knapp,	Smith,
Crofoot,	Lamb,	Sumner,
Dalton,	Little,	Swineford,
Edwards,	McGonegal,	Thayer,
Ferris,	E. R. Miller,	Van Scoy,
Garfield,	N. L. Miller,	Walker,
Garrison,	Millington,	Walton,
Gibson,	Minne,	White,
Gillam,	P. Mitchell,	Williams,
C. B. Grant,	W.H.C. Mitchell,	Speaker <i>pro tem.</i> ,
R. J. Grant,		

67

NAYS.

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The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker called the Speaker *pro tem.* to the chair.

Mr. Adam offered the following:

Resolved, That the thanks of this House be and they are hereby tendered to the Hon. J. J. Woodman, our presiding officer, for the ability, dignity, and impartiality with which he has presided over the deliberations of the House of Representatives during the present session ;

Which was unanimously adopted.

Mr. Cameron offered the following :

Resolved, That one dollar per day, in addition to his per diem allowance, be paid to Samuel F. Cook, Assistant Clerk of the House, for his services during this session.

Mr. Gray moved to amend the resolution so as to include J. C. Howland ;

Which motion prevailed.

Mr. Riford moved to amend the resolution so as to include the Engrossing and Enrolling Clerk, and assistant, and Sergeant-at-Arms and assistant ;

Which motion prevailed.

Mr. Little moved to amend the resolution so as to include the keeper of the cloak room ;

Pending which,

Mr. Millington moved to lay the resolution on the table.

Mr. Brockway demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Adam,	Mr. Gillam,	Mr. Millington,
Adsit,	Gray,	Norris,
Andrews,	Green,	Pattengell,
Brockway,	Haack,	Phillips,
Brown,	Hart,	Post,
Chamberlain,	H. Haynes,	Rood,
Cherry,	Huff,	Runyan,
Childs,	Hughes,	Sumner,

Mr. Clement,	Mr. Hurlbut,	Mr. Thayer,
Climie,	Kellogg,	Van Scoy,
Congdon,	Knapp,	Walker,
Copley,	Lamb,	Walton,
Crane,	McGonegal,	Webster,
Garfield,	E. R. Miller,	Wells,
Garrison,	R. C. Miller,	Williams, 45

NAYS.

Mr. Adams,	Mr. Greusel,	Mr. W.H.C. Mitchell,
Atwood,	Grosvenor,	Montgomery,
Bates,	J. Haynes,	Moshier,
Cameron,	Haywood,	C. Y. Osburn,
Cochrane,	S. W. Hill,	J. M. Osborn,
Coulter,	Holland,	Priest,
Crofoot,	Holt,	Riford,
Dalton,	Houseman,	Roof,
Edwards,	Hoyt,	Roost,
Ferris,	Little,	Ross,
Gibson,	N. L. Miller,	Smith,
C. B. Grant,	Minne,	Swineford,
R. J. Grant,	P. Mitchell,	Speaker <i>pro tem.</i> , 40
Gorman,		

Mr. E. R. Miller offered the following:

Resolved, That the able and respectful memorials upon the subject of capital punishment presented for consideration of this House, are eminently worthy of attention and reply; and this House *do* heartily concur in the sentiments embodied and set forth in such memorials.

On motion of Mr. Gray,

The resolution was laid on the table.

Mr. Greusel offered the following:

Resolved, That the thanks of the House are due to N. B. Jones, the energetic and efficient Clerk of this House, and to his assistants, Messrs. Cook and Howland, for their faithfulness and industry in performing their respective duties;

Which was unanimously adopted.

The Speaker resumed the chair.

Mr. Montgomery offered the following:

Resolved, That the members of this House tender to Hon. B. W. Huston, Jr., Speaker *pro tem.* of this House, their

thanks, for the able and impartial manner in which he has discharged the duties of his station, and for the uniform courtesy which he has at all times observed toward his fellow members.

Which was unanimously adopted.

The committee on public lands submitted the following report :

The committee on public lands, to whom was referred Senate bill No. 208, being

A bill to lay out and establish a swamp land State road from the centre of the township of Dorr to the centre of the township of Salem, in Allegan county, the same to be known as the Dorr and Salem swamp land State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

EZRA HAZEN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Barnaby,

The bill was laid on the table.

The committee on public lands submitted the following report :

The committee on public lands, to whom was referred Senate bill No. 225, being

A bill to lay out and establish a swamp land State road from the village of Bangor to the village of South Haven, in the county of Van Buren, the same to be known as the Bangor and South Haven State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

EZRA HAZEN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Thayer,

The bill was laid on the table.

The committee on public lands submitted the following report:

The committee on public lands, to whom was referred Senate bill 209, being

A bill to provide for the drainage and reclamation of swamp land, by means of a State road from the village of Leland, in the county of Leland, to the village of Northport in said county.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

EZRA HAZEN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Ross,

The bill was laid on the table.

The committee on public lands submitted the following report:

The committee on public lands, to whom was recommitted House bill No. 368, being

A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches from Sherman, in Wexford county, to Bear Lake, in Manistee county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

EZRA HAZEN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Minne,

The bill was laid on the table.

The committee on public lands submitted the following report:

The committee on public lands, to whom was referred House bill No. 366, being

A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches from the head of the east arm of Grand Traverse Bay, to O. E. Clark's, on the Midland City, Houghton Lake, and Traverse Bay State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

EZRA HAZEN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Ross,

The bill was laid on the table.

The committee on public lands submitted the following report:

The committee on public lands, to whom was recommitted House bill No. 365, being

A bill to provide for the construction of a bridge across the Aux Bec Scies Lake, in Benzie county, at the point where the Manistee and Leland State road crosses said lake, and making an appropriation of swamp lands to construct the said bridge,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

EZRA HAZEN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Coulter,

The bill was laid on the table.

The committee on public lands submitted the following report:

The committee on public lands to whom was recommitted Senate bill No. 216, being

A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches from Little Traverse Bay, in the county of Emmet, in an easterly direction, to intersect the Duncan and Alpena State road, at or near the junction of the Crawford Quarry branch with the Duncan and Alpena State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

EZRA HAZEN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rood,

The bill was laid on the table.

The committee on public lands submitted the following report:

The committee on public lands, to whom was recommitted House bill No. 374, entitled

A bill to provide for the construction of a drain in the township of Whiteford, county of Monroe, and making an appropriation of swamp lands to aid in the construction of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

EZRA HAZEN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brown,

The bill was laid on the table.

On motion of Mr. Houseman,

The resolution offered by Mr. E. R. Miller, relative to capital punishment, was taken from the table.

On motion of Mr. Ferris,

The resolution was again laid on the table.

Mr. Andrews offered the following:

Resolved, That the thanks of the members of this House be and the same are hereby extended to the several messenger boys of the House for their uniform good nature in the discharge of their duties on this floor, and that we part with them with our best wishes for their future prosperity in life:

Which was adopted.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, April 14, 1871. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 76, entitled

A bill to provide for the better security of mechanics and other persons furnishing labor or materials for the erection, altering, repairing, beautifying, or ornamenting of buildings in the State of Michigan;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 14, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bills:

1. House bill No. 312, entitled

A bill to provide for the protection of fruit trees in Berrien county, Mich ;

2. House bill No. 406, entitled

A bill to provide an additional sum for the payment of officers and members of the Legislature, for the year 1871 ;

3. House bill No. 423, entitled

A bill to amend sections 11, 15, 26, and 29, of act No. 431, of the session laws of 1869, entitled "An act to incorporate the village of Midland city ;"

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, April 14, 1871. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 204, entitled

A bill to amend sections 1, 3, 17, and 33, of act number 188, of the session laws of 1861, entitled "An act to reorganize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture,"

And to inform the House that the Senate has amended the same as follows:

1. By striking out, in line 9, section 1, the word "two-thirds," and inserting "one-half" in place thereof;

2. By striking out, in line 10, section 1, the words "actually engaged in their profession;"

3. By striking out all of section 3;

4. By striking out in line 1, section 33, the word "solely," and inserting the words "and for the instruction of the students and;"

5. By striking out all of line 21, section 33, after the word "used;"

The Senate has amended the title by striking out the word "three."

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

Secretary of the Senate.

Mr. Copley moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Adam,
Adams,
Adsit,
Andrews,
Atwood,
Barnaby,
Brockway,
Brown,
Chamberlain,
Cherry,
Childs,
Clement,
Climie,

Mr. Garrison,
Gibson,
Gillam,
C. B. Grant,
R. J. Grant,
Gray,
Grosvenor,
Hart,
H. Haynes,
J. Haynes,
Haywood,
S. W. Hill,
Holt,

Mr. Minne,
P. Mitchell,
W.H.C. Mitchell,
Montgomery,
Moshier,
Norris,
C. Y. Osburn,
Post,
Priest,
Riford,
Rood,
Roost,
Ross,

Mr. Cochrane,
Congdon,
Copley,
Crane,
Crofoot,
Dalton,
Doty,
Edwards,
Ferris,
Garfield,

Mr. Huff,
Hughes,
Hurlbut,
Kellogg,
Knapp,
Lamb,
McGonegal,
E. R. Miller,
R. O. Miller,
Millington,

Mr. Smith,
Sumner,
Swineford,
Thayer,
Walker,
Walton,
Wells,
Williams,
Speaker,

68

NAYS.

Mr. Fenton,

Mr. White,

2

The title, as amended by the Senate, was then agreed to.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

Mr. Hart offered the following:

Resolved, That the thanks of this House are due and hereby tendered to the Engrossing and Enrolling Clerk and his assistants, for the faithful and highly satisfactory manner in which they have executed the duties of their positions;

Which was adopted.

The Sergeant-at-Arms announced a committee from the honorable the Senate, who informed the House that the Senate had finished its business and was ready to adjourn.

Mr. Swineford offered the following:

Resolved, That the thanks of this House be and the same are hereby tendered to the reporters of the Detroit daily papers, for the able and impartial daily reports they have given of the proceedings of the House during the entire session;

Which was adopted.

Mr. H. Haynes offered the following:

Resolved, That the thanks of this House be and are hereby tendered to the citizens of Lansing, for their kind and courteous treatment of ourselves during our long and pleasant sojourn in their midst, praying as we do for their continued happiness and prosperity;

Which was adopted.

Mr. Cochrane offered the following:

Resolved, That the thanks of this House are hereby tendered to the *third house* for their assiduous attendance upon the sessions of this honorable body, the earnestness with which they have performed their arduous duties, and the sobriety and decorum which they have ever preserved;

Which was adopted.

Mr. J. Haynes offered the following:

Resolved, That the majority of this House take pleasure in testifying to the general good conduct, moderation, and other signs of improvement in the minority of this House;

Which was adopted.

Mr. Little moved that a committee of three be appointed to inform the Senate that the House has finished its business and is ready to adjourn;

Which motion prevailed.

The Speaker announced as such committee Messrs. Little, Norris, and Kellogg.

Mr. J. Haynes offered the following:

Resolved, That the judiciary committee be directed to report forthwith upon the memorial of the State Woman's Suffrage Association, on the subject of female suffrage;

Which was adopted.

The committee appointed to wait on the Senate, reported that they had performed their duty, and were discharged.

Mr. Barnaby offered the following:

Resolved, That the thanks of this House are hereby tendered to the clergy of Lansing, for their courtesy in addressing a throne of divine grace in behalf of this legislative body, daily during this session;

Which was adopted.

Mr. Swineford offered the following:

Resolved, That the minority of this House accept the thanks of the majority, so heartily tendered, on account of the general good behavior and improvement in morals, and regret exceedingly that they are wholly unable to return the compliment;

Which was adopted.

Mr. Little offered the following:

Resolved, That the sum of seventy-five dollars each, be paid to the Assistant Clerks of this House, for the arduous labors performed by them during the present session.

Mr. Gray moved to amend the resolution so as to include the Engrossing and Enrolling Clerk and his assistant;

Which was agreed to.

The resolution was then adopted.

Mr. Atwood offered the following:

Resolved, That the thanks of this House are due and hereby tendered to W. S. George & Co., State Printers, for the promptness and correctness characterizing their work for this Legislature;

Which was adopted.

The committee on ways and means submitted the following report:

The committee on ways and means, who were instructed by a resolution of this House to furnish a list showing the mileage of the messenger boys under said resolution,

Respectfully report that they have had the same under consideration, and have directed me to report the following as a correct list as above set forth, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman*.

Crombie S. Cheesbro.....	166
Nicholas Maniates.....	76
Philip Huston.....	176
Cyrus A. Walker.....	156
Colonel B. Burr.....	2
George Brown.....	140
George Dennis.....	2
David Barry.....	288
Adele Seward.....	234

Report accepted and committee discharged.

The Speaker then addressed the House as follows:

Gentlemen of the House :—Your legislative labor at this session is closed, and the time for separation is at hand. You have, by arduous labor and self-sacrificing devotion to public duty, completed the work assigned you by your constituents. How well and judiciously that labor has been performed, and how much the general interest of the State will be advanced by your legislation, will not be known until the laws you have enacted have been tested, the systems you have devised have been established, and the improvements you have provided for, have been made. But from the universal, constant, and earnest anxiety which has been evinced upon this floor during the entire session, to secure only the enactment of such laws as would best secure and protect the rights of the people and promote the general welfare of the State, I am confident that your general legislation has been well done, and you not only merit, but will receive, the approbation of an intelligent constituency. If in the very large mass of local matter which you under the constitution have been compelled to consider, errors do not appear, it will indeed be marvelous.

I am sure that every member of this House will unite with me in recommending, to the people of this State, to so revise their fundamental law, as to relieve the Legislature from the consideration of all local questions that can be provided for by general laws.

I have been more than gratified with the general good feeling with which you have met and discussed the most intricate and exciting questions of the session, and the universal harmony and unanimity that have characterized your final action on all important questions; and I am confident, that nothing but the most friendly feelings exist among you, and it can truly be said that you part as friends.

I should do injustice to my own feelings, did I not express to you my grateful acknowledgement and high appreciation of the universal kindness and courtesy which have character-

ized all your relations and intercourse with the Chair, during the session; and I assure you that I entertain nothing but the most friendly feelings towards every officer and member of this House; and, trusting that the friendship which has been formed and cultivated in our associations here may not be forgotten, and that the admonition which we have received by the death of one of our number, of the evanescence of human life, and the futility of all sublunary happiness will better prepare us to discharge our duties of life, and for the hour of final dissolution, I bid you farewell.

On motion of Mr. Gibson,

The House adjourned until 9 o'clock to-morrow morning.

Lansing, Saturday, April 15, 1871.

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called, and the following members answered to their names:

Messrs. Adam, Atwood, Bates, Brown, Cameron, Childs, Cochrane, Congdon, Copley, Crane, Dalton, Garfield, Gibson, C. B. Grant, Gorman, Gray, Harris, Hart, H. Haynes, S. W. Hill, Holt, Hoyt, Huff, Knapp, McGonegal, E. R. Miller, N. L. Miller, Millington, P. Mitchell, Norris, Pattengell, Pierson, Post, Priest, Riford, Runyan, Van Scoy, Walker, Williams,
—40.

REPORTS OF STANDING COMMITTEES.

The committee on engrossment and enrollment submitted the following report:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following entitled bills and joint resolutions:

1. House bill No. 350, entitled

A bill to provide for laying out and constructing a State road in the townships of Muzzy and Lynn, in the county of St. Clair, State of Michigan, and making an appropriation of non-resident highway taxes to aid in constructing the same, to be known as the Muzzy and Lynn State road ;

2. House bill No. 297, entitled

A bill to provide for the protection and preservation of fish in certain lakes in the counties of Cass and Berrien ;

3. House bill No. 117, entitled

A bill to amend sections 1, 2, 3, 4, 6, 9, 10, 11, 14, 17, 18, 19, 20, 21, 24, 26, 29, 30, 31, and 33, of act No. 43, of laws of 1869, being "An act to provide for the draining of swamps, marshes, and other low lands," approved March 22d, 1869 ;

4. House bill No. 326, entitled

A bill to amend sections 1, 2, 3, 5, and 8, of act No. 124, of the session laws of 1869, being an act entitled "An act to revise and consolidate the several acts relating to the protection of game, and for the better preservation of elk, deer, birds, and wild fowl," approved April 3, 1869 ;

5. House bill No. 344, entitled

A bill to authorize the board of school inspectors of the townships of Lenox and Chesterfield, in the county of Macomb, to attach certain territory to fractional school district number 7 of said townships ;

6. House bill No. 300, entitled

A bill to provide for publishing the statistics of the State of Michigan taken by authority of the United States in the year 1870, also, for publishing the social statistics of Michigan, collected under the authority of act No. 4, of the laws passed at the extra session of the Legislature of this State, in the year 1870 ;

7. House bill No. 399, entitled

A bill to amend chapter 109, of the revised statutes of 1846, in relation to the partition of lands, being chapter 135 of the

compiled laws, as amended by act No. 70, of the laws of 1863, approved March 7, 1843, by adding a new section thereto ;

8. House bill No. 237, entitled

A bill to provide for the improvement and completion of the Mineral Range State road extension, and the Ontonagon and State line State road ;

9. House bill No. 231, entitled

A bill to authorize corporations of other States to engage in mining, smelting, or refining of ores or metals within this State ;

10. House bill No. 84, entitled

A bill to detach certain territory from the county of Saginaw, and attach the same to the county of Bay ;

11. House bill No. 340, entitled

A bill to provide for the re-sale of certain swamp lands, sold under section eight, of act No. 31, of the session laws of 1858, being section number two, of act number one hundred and six, of the session laws of 1859 ;

12. House bill No. 149, entitled

A bill to amend section 17, of chapter 63, being section 1815 of the compiled laws, relative to the individual liability of stockholders in mining and manufacturing companies ;

13. House manuscript bill, entitled

A bill to provide for laying out and constructing the Cass City and Sanilac State road, and making an appropriation of non-resident highway taxes for the same ;

14. House manuscript bill, entitled

A bill to regulate and prescribe the time for the review and perfection of the assessment rolls of the township of Kalamazoo, in the State of Michigan, and to qualify the provisions of act No. 169, of the session laws of 1869, relating thereto ;

15. House manuscript bill, entitled

A bill to amend section 10, of an act entitled "An act in relation to life insurance companies transacting business within this State," approved March 30th, 1869, as amended by "An

act to amend sections 10 and 12 of an act entitled 'An act in relation to life insurance companies transacting business within this State,' approved March 30th, 1869, and to add three new sections thereto, to stand as sections 27, 28, and 29," approved March 5th, 1871;

16. House joint resolution No. 21, entitled

Joint resolution to authorize the Governor to convey the northeast quarter of the northwest quarter of section number 16, in township number one north, of range number four west, to John G. Estell, assignee of primary school land certificate No. 6151 ;

17. House joint resolution No. 22, entitled

Joint resolution authorizing the Auditor General to charge certain money or State tax now due Emmet county from the county of Charlevoix ;

Also the following concurrent resolutions:

18. *Resolved* (the Senate concurring), That from and after Friday, the 14th day of April, 1871, the two Houses will transact no business other than for the President of the Senate and the Speaker of the House to sign enrolled bills, for the approval of the Governor, and the entry of the same on the journals of the proper Houses by the Secretary and Clerk, and the time of final adjournment of this Legislature shall be on Tuesday, the 18th day of April, 1871, at 12 o'clock, noon, of that day;

19. *Resolved* (the Senate concurring), That the Secretary of the Senate and the Clerk of the House of Representatives be and they are hereby authorized and requested to compile and prepare for publication, and make indexes, and superintend the publication of the journals and documents of the present Legislature; and when completed and certified to by the Secretary of State, they shall each be entitled to and receive for such services, the sum of five hundred dollars.

JOHN F. COULTER, *Acting Chairman.*

Report accepted.

On motion of Mr. Post,

The House adjourned until Monday morning at 11:45 o'clock.

Lansing, Monday, April 17, 1871.

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: not a quorum present.

REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following entitled bills:

1. House bill No. 415, being

A bill to facilitate the business of circuit court commissioners;

2. House bill No. 250, entitled,

A bill to amend section 42, of an act entitled "An act to amend chapter 93, of the revised statutes of 1846, entitled 'Of courts held by justices of the peace,' approved February 13, 1855, being section 3694, in chapter 117, of the compiled laws;"

3. House bill No. 377, entitled.

A bill to provide for laying out and establishing a State road from town 24 north, of range 4 east, to the meridian;

4. House bill No. 244, entitled

A bill to amend sections 26, 31, and 87, of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869;

5. House bill No. 417, entitled

A bill to amend section 15, of act No. 370, of the session laws of 1869, entitled "An act to incorporate the village of Leslie;"

6. House bill No. 51, entitled

A bill for the more effectual prevention of cruelty to animals;

7. House bill No. 403, being

A bill to amend sections 7 and 8, of an act entitled "An act to incorporate the village of Lyons," approved March 1, 1867, and to add a new section thereto;

8. House bill No. 406, entitled

A bill to provide an additional sum for the payment of officers and members of the Legislature for the year 1871;

9. House bill No. 423, entitled

A bill to amend sections 11, 15, 26, and 29, of act No. 431, of the session laws of 1869, entitled "An act to incorporate the village of Midland City;"

10. House bill No. 427, entitled

A bill to amend sections 23 and 25, of chapter 72, of the revised statutes of 1846, being sections 2938 and 2940 of the compiled laws, relative to appeals from the decision of commissioners on the estates of deceased persons;

11. House bill No. 76, entitled

A bill to provide for the better security of mechanics and other persons furnishing labor or materials for the erection, altering, repairing, beautifying, or ornamenting of buildings in the State of Michigan;

12. House bill No. 389, being

A bill to amend sections 1, 2, 3, and 5, of an act entitled "An act to lay out and establish a State road from Angell's Landing (so-called), on section 28, in township 29 north, of range 8 west, in the county of Antrim, to the center of township 29 north, of range 1 west, in the county of Otsego," being act number 432, of the session laws of 1869, approved April 3, 1869;

13. House bill No. 413, entitled

A bill to legalize the streets and highways within the corporate limits of the village of Benton Harbor ;

14. House bill No. 312, entitled

A bill to provide for the protection of fruit trees in Berrien county, Mich. ;

15. House bill No. 402, entitled

A bill to create a Board of State Swamp Land Commissioners, and to repeal act No. 76, of session laws of 1867 ;

16. House bill No. 274, entitled

A bill to amend sections 1, 17, and 33, of act No. 188, of the session laws of 1861, entitled "An act to reorganize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture ;"

17. House bill No. 330, entitled

A bill to amend section 127, of act number 186, of the session laws of 1863, being an act entitled "An act to amend an act entitled 'An act to amend sections 11 and 127, of chapter 117, of the compiled laws, relative to security for courts in justices' courts ;'"

18. House manuscript bill, entitled

A bill to authorize justices of the peace residing within the corporate limits of the village of Eaton Rapids, to hold courts at any place within the corporate limits of said village ;

19. House manuscript bill, entitled

A bill to provide for giving notice to county treasurers of lists of railroad grant lands which have become taxable ;

20. House manuscript bill, entitled

A bill to repeal section three, of an act entitled "An act to provide for the payment of bounties by the State Treasurer upon the warrant of the Auditor General ;"

21. House bill No. 290, being

A bill to revise the charter of the city of Detroit, approved February 5th, 1857, as amended by the several acts

amendatory thereof, and to add several sections thereto, and to repeal several sections thereof.

JOHN F. COULTER, *Acting Chairman.*

Report accepted.

The committee on engrossment and enrollment also submitted the following report:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following entitled bills:

1. House bill No. 410, entitled

A bill to amend section 6, of chapter 140, of the revised statutes of 1846, being section 5366, in chapter 165, of the compiled laws, relative to limitations of personal actions;

2. House bill No. 373, entitled

A bill to amend act No. 187, of session laws of 1859, approved February 15, 1859, and to repeal act No. 15, of session laws of 1862, approved January 17, 1862, and act No. 79, of session laws of 1863, approved March 11, 1863, relative to estates of deceased persons;

3. House bill No. 414, entitled

A bill to change the name of George F. Carney to George F. Powers, and that he be constituted heir-at-law of Isaiah Start Powers and Mary Powers;

4. House bill No. 421, entitled

A bill to change the names of James Selkrig, Hannah Selkrig, James Edward Selkrig, Henrietta Elizabeth Selkrig, Adde Bell Selkrig, and Charles Ellis Manly Selkrig, to Selkirk;

5. House bill No. 426, entitled

A bill to amend section 65, of an act entitled "An act to revise and amend an act entitled 'An act to incorporate the city of Muskegon;'"

6. House bill No. 405, being

A bill to provide for the payment of the interest on the State debt;

7. House bill No. 262, entitled

A bill to incorporate the village of Cheboygan;

8. House bill No. 352, entitled

A bill to establish and construct a State road, to be known as the Guilford and Portsmouth State road, and making an appropriation of non-resident highway taxes for the same ;

9. House bill No. 408, entitled

A bill to provide for the completion and improvement of the Midland and Isabella State road, and making an appropriation of non-resident highway taxes therefor ;

10. House bill No. 308, entitled

A bill to confirm the powers, rights, and privileges of the board of metropolitan police in the city of Detroit, and its officers and appointees, as organized and appointed under and by virtue of an act entitled "An act to establish a police government in the city of Detroit," approved January 24, 1865 ;

11. House bill No. 376, entitled

A bill providing for the construction of a ditch or drain in the townships of Newark and Arcada, in the county of Gratiot, and appropriating State swamp land for the construction of the same ;

12. House bill No. 173, entitled

A bill to apportion anew the Representatives among the several counties and districts of this State ;

13. House bill No. 363, entitled

A bill to amend section 1, of act No. 467, of the laws of 1869, entitled "An act to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches from Tawas Bay, in Iosco county, to the west line of said county, to the intersection of the Midland and Traverse Bay State road ;"

14. House bill No. 404, entitled

A bill to provide a tax for the expenses of the State government ;

15. House bill No. 361, entitled

A bill to lay out and establish a State road from the village of Cheboygan, in the county of Cheboygan, to Little Traverse Bay, in Emmet county ;

16. House bill No. 401, entitled

A bill to amend section 1, of an act entitled "An act to authorize proceedings by garnishment in the circuit courts, and in the district court of the Upper Peninsula," approved March 16, 1861;

17. House bill No. 428, entitled

A bill to change the name of Trinity Church of Lower Saginaw, to Trinity Church of Bay City;

Also the following entitled joint resolution:

18. House manuscript joint resolution, entitled

Joint resolution instructing the Auditor General to discharge certain mortgages.

J. F. COULTER, *Acting Chairman.*

Report accepted.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }
Lansing, April 15, 1871. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State, the following entitled acts:

1. An act to re-incorporate the village of Eaton Rapids;
2. An act to provide for the payment of bounties by the State Treasurer, upon the warrant of the Auditor General;
3. An act to incorporate the village of Rockford;
4. An act to compel children to attend school;
5. An act to provide for the division of the township of Plymouth, Wayne county, into two election districts, for general election purposes;
6. An act to amend sections 41, 42, 47, 48, 52, and 53, of act 148, of session laws of 1869, being "An act to revise and consolidate the several acts relating to the support and maintenance of poor persons," approved April 5th, 1869;
7. An act to amend sections 4 and 5, of act No. 212, of

session laws of 1861, entitled "An act to authorize the formation of gymnastic associations;"

8. An act to provide for the incorporation of St. George's societies;

9. An act to authorize the village of Caro to raise money to aid in the construction of a court-house for the county of Tuscola;

10. An act to amend sections 1, 15, 22, 30, 34, 38, 43, and 64, of an act entitled "An act to charter the village of New Baltimore," approved March 23, 1867, as amended by act No. 296, session laws of 1869;

11. An act to organize the township of Branch, in the county of Mason;

12. An act to amend section 31, of act No. 266, approved March 27th, A. D. 1867, entitled "An act to revise the charter of the village of Hudson;" also, section 52, of act No. 360, approved March 30th, A. D. 1869, entitled "An act to amend an act to revise the charter of the village of Hudson;"

13. An act to authorize the city of Monroe, in the county of Monroe, to borrow money for bridge purposes within said city, and give bonds therefor;

14. An act to amend section 1, of an act entitled "An act to authorize proceedings by garnishment in the circuit courts and in the district court of the Upper Peninsula," approved March 16th, 1861;

15. An act to amend sections 1, 2, 3, 4, 6, 9, 10, 11, 14, 17, 18, 19, 20, 21, 24, 26, 29, 30, 31, and 33, of act No. 43, of laws of 1869, being "An act to provide for the draining of swamps, marshes, and other low lands," approved March 22, 1869;

16. An act to legalize the streets and highways within the corporate limits of the village of Benton Harbor;

17. An act to amend sections 23 and 25, of chapter 72, of the revised statutes of 1846, being sections 2938 and 2940 of the compiled laws, relative to appeals from the decisions of commissioners on estates of deceased persons;

18. An act to amend section 127, of act No. 186, of the session laws of 1863, being an act entitled "An act to amend an act entitled 'An act to amend sections 11 and 127, of chapter 117, of the compiled laws, relative to security for costs in justices' courts;'"

19. An act to provide an additional sum for the payment of officers and members of the Legislature, for the year 1871;

20. To provide for giving notice to county treasurers of lists of railroad grant lands which have become taxable;

21. An act to authorize justices of the peace residing within the corporate limits of the village of Eaton Rapids to hold courts at any place within the corporate limits of said village;

22. Joint resolution instructing the Auditor General to discharge certain mortgages;

23. An act to detach certain territory from the county of Saginaw, and attach the same to the county of Bay;

24. An act to provide for the re-sale of certain swamp lands sold under section 8, of act number 31, of the session laws of 1858, being section number 2, of act number 106, of the session laws of 1859;

25. An act to amend section 17, of chapter 63, being section 1815 of the compiled laws, relative to the individual liability of stockholders in mining and manufacturing companies;

26. An act to provide for publishing the statistics of the State of Michigan, taken by authority of the United States, in the year 1870; also, for publishing the social statistics of Michigan, collected under the authority of act No. 4, of the laws passed at the extra session of the Legislature of this State, in the year 1870;

27. Joint resolution authorizing the Auditor General to charge certain money or State tax now due Emmet county from the county of Charlevoix;

28. Joint resolution to authorize the Governor to convey the northeast quarter of the northwest quarter of section No. 16, in township No. 1 north, of range No. 4 west, to John G. Estell, assignee of primary school land certificate No. 6151;

29. Concurrent resolution :

Resolved (the Senate concurring), That from and after Friday, the 14th day of April, 1871, the two Houses will transact no business other than for the President of the Senate and the Speaker of the House to sign enrolled bills, for the approval of the Governor, and the entry of the same on the journals of the proper Houses by the Secretary and Clerk, and the time of final adjournment of this Legislature shall be on Tuesday, the 18th day of April, 1871, at 12 o'clock, noon, of that day ;

30. Concurrent resolution :

Resolved (the Senate concurring), That the Secretary of the Senate and the Clerk of the House of Representatives be and they are hereby authorized and requested to compile and prepare for publication, and make indexes, and superintend the publication of the journals and documents of the present Legislature ; and when completed and certified to by the Secretary of State, they shall each be entitled to and receive for such services, the sum of five hundred dollars ;

31. An act to provide for laying out and constructing the Cass City and Sanilac State road, and making an appropriation of non-resident highway taxes for the same ;

32. An act to regulate and prescribe the time for the review and perfection of the assessment rolls of the township of Kalamazoo, in the county of Kalamazoo, and State of Michigan, and to qualify the provisions of act No. 169, of the session laws of 1869, relating thereto ;

33. An act to authorize the board of school inspectors of the townships of Lenox and Chesterfield, in the county of Macomb, to attach certain territory to fractional school district No. 7 of said townships ;

34. An act to amend sections 1, 2, 3, 5, and 8, of act No. 124, of the session laws of 1869, being an act entitled "An act to revise and consolidate the several acts relating to the protection of game, and for the better preservation of elk, deer, birds, and wild fowl," approved April 3, 1869 ;

35. An act to amend chapter 109, of the revised statutes of 1846, in relation to the partition of lands, being chapter 135, of the compiled laws, as amended by act No. 70, of the laws of 1863, approved March 7th, 1863, by adding a new section thereto ;

36. An act to provide for the protection and preservation of fish in certain lakes in the counties of Cass and Berrien ;

37. An act to provide for the improvement and completion of the Mineral Range State road extension, and the Ontonagon and State line road ;

38. An act to authorize corporations of other States to engage in mining, smelting, or refining of ores or metals within this State ;

39. An act to facilitate the business of circuit court commissioners ;

40. An act to amend sections 26, 31, and 38 of an act entitled " An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869 :

41. An act to amend sections 7 and 8, of an act entitled " An act to incorporate the village of Lyons," approved March 1st, 1867, and to add a new section thereto ;

42. An act to amend sections 11, 15, 26, and 29, of act No. 431, of the session laws of 1869, entitled " An act to incorporate the village of Midland City ;"

43. An act to amend section 42, of an act entitled " An act to amend chapter 43, of the revised statutes of 1846, entitled " Of courts held by justices of the peace," approved February 13, 1855, being section 3694, in chapter 117, of the compiled laws ;

44. An act providing for the construction of a ditch or drain in the townships of Newark and Arcada, in the county of Gratiot, and appropriating State swamp land for the construction of the same ;

45. An act to change the name of George F. Carney to George F. Powers, and that he be constituted heir-at-law of Isaiah Start Powers and Mary Powers ;

46. An act to provide for laying out and establishing a State road from town 24 north, of range 4 east, to the meridian ;

47. An act to amend section 15, of act No. 370, of the session laws of 1869, entitled "An act to incorporate the village of Leslie ;"

48. An act to apportion anew the Representatives among the several counties and districts of this State ;

49. An act to confirm the powers, rights, and privileges of the board of metropolitan police in the city of Detroit, and its officers and appointees, as organized and appointed under and by virtue of an act entit'ed "An act to establish a police government in the city of Detroit," approved January 24, 1865 ;

50. An act to provide for the payment of the interest on the State debt ;

51. An act to amend section six, of chapter 140, of the revised statutes of 1846, being section 5366, in chapter 165, of the compiled laws, relative to limitations of personal actions :

52. An act to change the names of James Selkrig, Hannah Selkrig, James Edward Selkrig, Henrietta Elizabeth Selkrig, Adde Bell Selkrig, and Charles Ellis Manly Selkrig, to Selkirk ;

53. An act for the relief of Milo R. Campbell from the payment of five dollars an acre for certain Agricultural College lands ;

54. An act to amend section 1, of act No. 467, of the laws of 1869, entitled "An act to provide for the drainage and reclamation of swamp lands. by means of a State road and ditches. from Tawas Bay, in Iosco county, to the west line of said county ;

55. An act for the more effectual prevention of cruelty to animals ;

56. An act to amend act No. 187, of session laws of 1859. approved February 15, 1859, and to repeal act No. 15, of session laws of 1862, and act No. 79, of session laws of 1863, relative to estates of deceased persons ;

57. An act to provide a tax for the expenses of the State government.

HENRY P. BALDWIN.

The message was laid on the table.

The Speaker also announced the following :

EXECUTIVE OFFICE,)
Lansing, April 17, 1871.)

To the House of Representatives :

I have this day approved, signed, and deposited, in the office of the Secretary of State, the following acts :

1. An act to lay out and establish a State road in the counties of Schoolcraft and Marquette, to be known as the "Sault Ste. Marie and Grand Island State road extension," and to provide for the construction of the same ;

2. An act to lay out and establish a swamp land State road from Seuil-Choix Harbor, section 15, town 41 north, range 13 west, on the most eligible route to Grand Island Harbor, section 19, town 47 north, range 19 west, and appropriating swamp lands for the construction of the same ;

3. An act to provide for laying out and constructing a State ditch or drain, in the counties of St. Clair and Sanilac, and making an appropriation of State swamp lands to aid in the construction of the same ;

4. An act to lay out, establish, and improve a swamp land State road from Copper Harbor across the Mineral Range, to the valley of the Mineral river, to the northwest quarter section 35, town 58 north, range 29 west, on Bete de Gris, in the county of Keweenaw ;

5. An act to provide for laying out and establishing a State road in the counties of Ontonagon and Houghton ;

6. An act for laying out a State road in the counties of Clare and Roscommon ;

7. An act to lay out and establish a swamp land State road from Gratiot river, in the line of the Mineral Range State road, in the township of Clifton, county of Keweenaw, to the head of Torch

Lake, in the township of Schoolcraft, in the county of Houghton;

8. An act to establish a police government for the city of Detroit;

9. An act to provide for laying out and establishing a State road in the township of Sherman, county of Keweenaw;

10. An act to provide for the appointment of a suitable person commissioner to draft and prepare a bill for the organization of cities and villages by a general law, as contemplated by act 15, section 13, of the constitution;

11. An act to amend sections 1, 3, 4, 5, 6, 8, and 9, and repeal sections 2 and 7, of an act entitled "An act to provide for the further geological survey of the State," approved March 26th, 1869;

12. An act to lay out and establish a State road from the village of Cheboygan, in the county of Cheboygan, to Little Traverse Bay, in Emmet county;

13. An act to provide for the laying out and constructing a State road in the counties of Clare and Gladwin;

14. An act to incorporate the village of Cheboygan;

15. An act to provide for the completion and improvement of the Midland and Isabella State road, and making an appropriation of non-resident highway taxes therefor;

16. An act to provide for laying out and constructing a State road in the townships of Muzzy and Lynn, in the county of St. Clair, State of Michigan, and making an appropriation of non-resident highway taxes to aid in constructing the same, to be known as the Muzzy and Lynn State road;

17. An act to establish and construct a State road to be known as the Gilford and Portsmouth State road, and making an appropriation of non-resident highway taxes for the same;

18. An act to amend section 65, of an act entitled "An act to revise and amend an act entitled 'An act to incorporate the city of Muskegon;'"

19. An act to amend sections 1, 2, 3, and 5, of an act entitled

“ An act to lay out and establish a State road from Angell's Landing (so-called), on section 28, in township 29 north, of range 8 west, in the county of Antrim, to the center of township 29 north, of range 1 west, in the county of Otsego,” being act number 432, of the session laws of 1869, approved April 3, 1869;

20. An act to create a Board of State Swamp Land Commissioners, and to repeal act No. 76, of the session laws of 1867;

21. An act to provide for the protection of fruit trees in Berrien county, Michigan;

22. An act to provide for the better security of mechanics and other persons furnishing labor or materials for the erection, altering, repairing, beautifying, or ornamenting of buildings in the State of Michigan;

23. An act to amend sections 1, 17, and 33, of act number 188, of the session laws of 1861, entitled “ An act to reorganize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture;”

24. An act to repeal section 3, of an act entitled “ An act to provide for the payment of bounties by the State Treasurer upon the warrant of the Auditor General;”

25. An act to amend an act entitled “ An act to revise the charter of the city of Detroit, approved February 5th, 1857, as amended by the several acts amendatory thereof,” and to add several sections thereto, and to repeal several sections thereof.

HENRY P. BALDWIN.

The message was laid on the table.

On motion of Mr. Coulter,

The House adjourned until to-morrow morning, at 11:55 o'clock.

Lansing, Tuesday, April 18, 1871.

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: not a quorum present.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, {
Lansing, April 18, 1871. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State:

An act to establish a board of public works in and for the city of Detroit;

Also,

An act to revise the laws providing for the incorporation of railroad companies.

HENRY P. BALDWIN.

The message was laid on the table.

The hour of 12 o'clock M. having arrived, and no further business appearing to be transacted, the Speaker declared the House adjourned *sine die*.

HOUSE OF REPRESENTATIVES, {
Lansing, April 18, 1871. }

I hereby certify that the foregoing is a true copy of the proceedings of the House of Representatives of the Legislature of Michigan, for the year 1871.

N. B. JONES,
Clerk of the House of Representatives.

I N D E X .



INDEX.

NOTE.—The following Index embraces a complete abstract of subjects contained in the lists of Senate and House Bills, and Senate and House Joint Resolutions. The lists of Senate and House Bills follow the Index. The Bills are referred to by numbers; other subjects by page of Journal. "H. B." and "S. B." are abbreviations of "House Bill" and "Senate Bill," and "H. J. R." and "S. J. R." are abbreviations of "House Joint Resolution" and "Senate Joint Resolution."

A. .

	PAGE.
ACTUAL SETTLERS, relative to locating lands by, under the homestead laws (H. J. R. 34).	
ADAM, JOHN J., of Lenawee,	
memorials presented by.....	40, 161
petitions presented by.....	204, 477, 795, 918, 1215
resolution relative to daily sessions, offered by.....	13
appointed on special committee.....	84
bills introduced by.....	168
chairman of committee of whole.....	265
resolution relative to electrotyping compiled laws, offered by..	324
joint resolution introduced by.....	832
resolution granting use of hall to Rev. Dr. Asa Mahan, offered by.....	1830
remarks by, on death of Hon. Jacob M. Howard.....	2078-4
resolution of thanks to Speaker, offered by.....	2587
ADAMS, OSCAR, of Genesee,	
petitions presented by....	267, 444, 735, 739, 796, 797, 798, 911, 1028
remonstrances presented by.....	664, 738, 796, 798, 886
resolution authorizing clerk to appoint second assistant, offered by.....	21
bills introduced by.....	49, 89, 498, 702, 769, 819-20
chairman of committee of whole.....	257, 2404
resolution for an additional messenger, offered by.....	296
joint resolution introduced by.....	537
appointed on special committee.....	1734
resolution allowing additional compensation to assistant clerks, offered by.....	2393
resolution allowing messenger boys mileage, offered by.....	2522
ADAMS, SETH DIMICK, to change the name of (H. B. 518).	

	Page.
ADJOURNMENT,	
to visit State Institutions.....	101, 118, 201, 237
final.....	1638, 1801, 2043-4, 2411-12, 2568
for several days.....	1973-9, 2000
ADJUTANT GENERAL,	
John Robertson nominated to the office of.....	2256-7
ADRIAN,	
to revise the charter of city of (H. B. 244).	
to authorize church association of, to convey certain real estate (S. B. 52).	
ADST, ALLEN C., of Ottawa,	
petitions presented by.....	141, 625, 626, 925
remonstrances presented by.....	624, 1694
bills introduced by.....	49, 246, 278, 414, 460-1, 573, 821, 865, 866
AGENTS OF INSURANCE COMPANIES,	
regulating the responsibility of (S. B. 155).	
AGRICULTURAL COLLEGE,	
report of committee on, relative to.....	183-4
making appropriation for support of (H. B. 73).	
making appropriation for a chemical laboratory for (S. B. 68).	
to amend act to reorganize (H. B. 520).	
to amend act donating lands to (S. B. 93).	
AGRICULTURAL SOCIETIES,	
to amend act requiring board of supervisors to raise an annual tax for county (H. B. 3).	
ALABASTER,	
to authorize the township of, to make out a new tax-roll (H. B. 471).	
ALBION,	
to legalize action of commissioner of highways of, in constructing the Erwin and Eslo ditch (H. B. 505).	
ALGER, RUSSELL A.,	
nomination of, to the office of Inspector General.....	2256-7
ALGONQUIN,	
to vacate the township of (H. B. 602).	
ALLEGAN,	
to amend the charter of (S. B. 145).	
ALPENA,	
to levy a tax upon the county of, to encourage immigration (H. B. 104).	
to legalize the tax-roll of unorganized territory attached to county of (H. B. 106).	
to organize union school district No. 1, of the township of (S. B. 29).	
to incorporate the city of (S. B. 151).	
to legalize the tax-roll of the township of (H. B. 12).	
ANDREWS, JOHN L., of Oakland,	
petitions presented by.....	50, 886, 887
memorial presented by.....	267
remonstrance presented by.....	887
bills introduced by.....	88, 160, 278
resolution to drape in mourning seat of Hon. John Landon, offered by.....	1401
resolution of thanks to messenger boys, offered by.....	2543
ANIMALS,	
for more effectual prevention of cruelty to (H. B. 64).	
to prevent, from trespassing (H. B. 547).	

INDEX.

2573

PAGE.

ANIMALS,	
to incorporate Michigan Society for the Prevention of Cruelty to (H. B. 65).	
ANN ARBOR,	
to amend the charter of (S. B. 118).	
ANNUAL REPORTS,	
requiring all State Boards to make (H. B. 368).	
APPORTIONMENT,	
Governor's message relative to, referred to a select committee..	56-7
announcement of committee on.....	84
of Representatives among the several counties (H. B. 875).	
of Senators in the State Legislature (S. B. 176, H. B. 481).	
APPROPRIATIONS,	
to provide for the payment of (S. B. 163).	
ARSENAL,	
asking Congress for a grant of the U. S., and grounds, at Dearborn (H. J. R. 43).	
ASH,	
to change the name of township of (H. B. 405).	
to authorize the collection of a certain ditch tax in (H. B. 443).	
ASSISTANT CLERKS,	
appointment of, authorized.....	12, 21
appointment of, announced.....	22-3
thanks of House tendered to.....	2588
extra compensation allowed to.....	2548
ASSISTANT ENGROSSING AND ENROLLING CLERK,	
appointment of, authorized.....	12
appointment of, announced.....	288
thanks of House tendered to.....	2546
ASSISTANT SERGEANT-AT-ARMS,	
appointment of, authorized.....	12
appointment of, announced.....	15
ASYLUM FOR THE INSANE,	
making appropriations for (H. B. 271).	
to amend act to organize (H. B. 272).	
ASYLUM FOR THE DEAF, DUMB, AND BLIND,	
resolution relative to finance report of, 435, 472, 545-6, 575, 576, 653-4	
resolution for a special committee respecting appropriations	
asked for by.....	551, 567-8
report of committee on.....	1444-8, 1636-7
report of minority of committee on.....	1545-7, 1817-18
nomination of trustee of.....	2256-7
making appropriation to (H. B. 376, S. B. 153).	
to amend act to establish (H. B. 180).	
ATTORNEYS,	
to prevent, from testifying in behalf of their clients (H. B. 119).	
ATTORNEY GENERAL,	
communication from, relative to land-grant railroads	686-92
communication from, relative to charters of plank road companies	1641-3
to prescribe notice of county clerks to, in criminal cases (S. B. 60).	
ATWOOD, MARCUS M., of Ingham,	
petitions presented by.....	299
remonstrances presented by	1269, 1346
chairman of committee of the whole.....	659, 1299
bills introduced by.....	763, 768, 824, 861
remarks by, on death of Hon. John Landon.....	1364-5

	PAGE.
ATWOOD, MARCUS M., of Ingham, appointed on special committee.....	1568
resolution asking certain information from State Treasurer, offered by.....	1933
resolution asking certain information from Auditor General, offered by.....	2195
resolution of thanks to State printers, offered by.....	2548
AUDITOR GENERAL, communication from, relative to specific taxes paid by copper and iron mining corporations.....	547-50
communication from, relative to certain ditch tax assessments in Saginaw county.....	1328-9
communication from, detailing expenses of Swamp Land State Road Commissioner.....	1766-97
communication from, relative to amount due Calhoun county from swamp land fund.....	2254
authorizing, to charge certain money or State tax due Emmet county from Charlevoix county (H. J. R. 30).	
instructing, to discharge certain mortgages (H. J. R. 33).	
AUX BEC SCIENES LAKE, to provide for a bridge across (H. B. 115).	
B.	
BANGOR, to authorize, to raise money to establish a township library (H. B. 556).	
BANKS, to incorporate the village of (S. B. 98).	
BANKING, to amend act to authorize (H. B. 15, S. B. 72, 84).	
BARNABY, HORACE T., of Gratiot, petitions presented by.....	177, 440, 480, 519, 735, 1200, 2143
remonstrance presented by.....	1269
appointed on special committee.....	13
motion by, to appoint keeper of cloak-room.....	13
bills introduced by.....	89, 169, 457, 536, 570-1, 766, 821-2, 829
chairman of committee of the whole.....	902
remarks by, on death of Hon. John Landon.....	1360-1
resolution of thanks to clergymen, offered by.....	2547
BARRY AND PRAIRIEVILLE, to provide for levying and collecting a school tax in fractional district No. 1, in township of (H. B. 93).	
BATES, WILLIAM R., of Bay, petitions presented by.....	204, 440, 476, 663, 667, 826
remonstrances presented by.....	826, 885, 1200-1
memorials presented by.....	300, 1846
resolution relative to increasing salaries of Judges of Supreme Court, offered by.....	37-8
resolution relative to printing Governor's message in Swedish language, offered by.....	170
bills introduced by.....	245-6, 277, 321, 571, 787, 829, 851, 860, 871, 872.
resolution to print annual reports of State officers, offered by..	334
joint resolutions introduced by.....	764
chairman of committee of the whole.....	908, 920, 921
resolution relative to duty on lumber and salt, offered by.....	1574
resolution relative to death of Hon. Jacob M. Howard, offered by.....	2058

INDEX.

2575

PAGE.

BATES, WILLIAM R., of Bay, remarks of, on death of Hon. Jacob M. Howard	2058-9
appointed on special committee	2074
resolution relative to appointment of, as Register of U. S. Land Office at East Saginaw.....	2421
BATTLE CREEK, to incorporate the public schools in city of (S. B. 144). to amend the charter of (H. B. 262). to authorize school district number 9, of township of, to issue bonds (H. B. 438).	
BAY CITY, to extend the limits of (H. B. 338). to authorize, to borrow money to construct a plank road (H. B. 339). to amend act to organize union school district of (S. B. 88). to amend charter of (S. B. 197).	
BAY CITY AND TUSCOLA PLANK ROAD, to vacate and discontinue a portion of (S. B. 12). to grant and surrender the rights of the State of Michigan to (S. B. 110).	
BAY COUNTY, to authorize, to issue bonds to construct a bridge (S. B. 65). to legalize the tax-rolls of the several townships of (S. B. 95).	
BAY, GRATIOT, AND SAGINAW COUNTIES, to amend act to regulate tolls on plank roads in (H. B. 497).	
BELLEVUE, to constitute board of trustees of village of, commissioners of highways (H. B. 426).	
BENTON, to organize the township of (H. B. 383).	
BENTON HARBOR, to legalize streets in the village of (H. B. 496). to legalize action of trustees of Baptist church of (H. B. 252).	
BERRIEN COUNTY, to provide for the protection of fruit trees in (H. B. 300).	
BIG SUMMER ISLAND, to attach, with other islands, to Delta county (S. B. 191).	
BIG BLACK LAKE, to change name of, to Lake Harbor (H. B. 405).	
BIG RAPIDS, to legalize plat of French's addition to village of (H. B. 565.) to amend charter of (H. B. 323).	
BILLS OF EXCHANGE AND PROMISSORY NOTES, to provide for pleadings and notice in actions on (H. B. 87).	
BINGHAM, STEPHEN D., appointed to compile manual	34
BIRTHS, MARRIAGES, AND DEATHS, to amend act to provide for (H. B. 54, S. B. 22).	
BOARD OF STATE AUDITORS, instructing, to make a settlement with William P. Rathbone (H. J. R. 10). instructing, to issue swamp land certificates in lieu of certain internal improvement land warrants (H. J. R. 15). requiring, to make annual settlement with each disbursing offi- cer of State (H. J. R. 26). to amend revised statutes relative to (H. B. 274).	
BOARD OF EQUALIZATION, to amend act to provide for State (H. B. 448).	

BOARD OF STATE SWAMP LAND COMMISSIONERS,	
to create, and repeal act 76, of 1867 (H. B. 476).	
BOILERS,	
to provide for the appointment of inspectors of (H. B. 76).	
BOIS BLANC ISLAND,	
asking Congress to throw open lands of U. S. military reservation on (H. J. R. 39).	
BOUNTIES,	
to provide for payment of, on warrant of Auditor General (H. B. 356).	
to repeal section 3 of act to provide for payment of (H. B. 501).	
BOYCE, SAMUEL L., of St. Clair,	
appointed on special committee.....	7
memorial presented relative to seat of.....	32
committee on elections authorized to send for persons and papers in case of.....	157
report of committee on elections in case of.....	328-31
report of minority of committee on elections in case of.....	360-9
adoption of resolution giving seat of, to Frederick L. Wells.....	373-6
BRANCH,	
to organize the township of (H. B. 284).	
BREAKWATER AND HARBOR OF REFUGE,	
asking General Government for, between St. Clair river and Point Aux Barques (H. J. R. 41).	
BRIDGE STREET METHODIST EPISCOPAL CHURCH,	
to authorize, to sell and convey certain real estate (H. B. 121).	
BRIGHTON,	
to authorize township of, to raise money to pay bounties (H. B. 183).	
BROCKWAY, WILLIAM H., of Calhoun,	
appointed on special committee.....	7, 160, 170-1, 370, 1353, 1355
resolution for appointment of Assistant Clerks, offered by.....	12
resolution for appointment of messengers, offered by.....	14
resolution to invite clergymen of Lansing to officiate as chaplain, offered by.....	14
motion by, to proceed to elect Speaker <i>pro tem.</i>	23
bills introduced by.....	182, 322, 499, 572, 873
petitions presented by.....	204, 267, 441, 442, 477, 479, 520, 521, 1735
remonstrances presented by.....	299, 441
chairman of committee of the whole.....	138
joint resolution introduced by.....	197, 880
resolution excusing Clerk from calling roll the second time, offered by.....	296
remarks of, on death of Hon. John Landon.....	1355-6
appointed Speaker <i>pro tem.</i> for the day.....	2046
resolutions offered by, relative to amount due Calhoun county from swamp land fund.....	2175-6, 2285, 2317
BRONSON,	
to incorporate the village of (H. B. 28).	
BROWN, GEORGE I., of Calhoun,	
petition presented by.....	406
remonstrance presented by.....	670
bills introduced by.....	646, 829, 862
BROWN, CHARLES,	
to change name of (H. B. 295).	
BROWN'S NISI PRIUS REPORTS,	
to authorize board of supervisors to provide for purchase of (H. B. 299).	

INDEX.

2577

PAGE.

- BUCHANAN,**
to enlarge the corporate limits of (S. B. 179).
BUNYEA, PROSPER,
to repeal act authorizing, to keep up a dam across Huron river
(H. B. 187).
BURLINGTON,
to extend time of payment of drain taxes in township of (H.
B. 40).
BUSH, JACOB,
constituting a certain male child heir-at-law of (H. B. 410).
BURTCH, MILTON P.,
to authorize, to improve the navigation of Grand River (H. B.
591).
BURR OAK,
to revise the charter of village of (H. B. 225).

C.

- CALEDONIA,**
to incorporate union school district No. 1, of township of (H.
B. 444).
CALL OF HOUSE,
proceedings under 258, 374, 711, 1024, 1025, 1101, 1262, 1566,
1596, 1667, 1721, 1802, 1830, 1873, 1923, 1925, 2011, 2022,
2045, 2049, 2095, 2142, 2158, 2174, 2180, 2314, 2342, 2401,
2478, 2532.
CAMERON, ALEXANDER, of Kalamazoo,
appointed on special committee.....3, 13, 20, 30, 84
resolution relative to stationery, offered by.....21
resolution to refer Governor's message, offered by.....27
bills introduced by.....89-90, 572, 824, 858, 870
chairman of committee of the whole.....127, 234, 1337, 2133, 2135
petitions presented by.....445, 480, 481, 796, 834, 913
remonstrances presented by.....887, 899
resolution relative to referring a portion of Governor's message,
offered by.....517
resolution relative to daily sessions, offered by.....1317
resolution allowing extra compensation to Assistant Clerks,
offered by.....2537
CAMPBELL, MILO R.,
for the relief of (H. B. 490).
CANADA,
urging upon Congress importance of annexation of (H. J. R. 85).
CANAL,
to provide for, between Houghton Lake and Muskegon river
(H. B. 475).
CANALS OR HARBORS,
to amend act to provide for and improve (H. B. 346).
CAPITOL, STATE,
to provide for the erection of, and building for State offices (S.
B. 32, H. B. 546).
to provide for cleaning walks around (H. B. 585).
CAPITAL PUNISHMENT,
petition for re-establishment of.....208-10
resolution relative to.....2538
CARNEY, GEORGE F.,
to change the name of (H. B. 256).

CARO,	
to authorize village of, to raise money to aid in building a court-house (H. B. 286).	
to incorporate the village of (H. B. 98).	
CARROLL, CHARLES,	
presentation of portrait of, to State	2258-72
CASS COUNTY,	
to authorize Agricultural Society of, to sell their fair grounds (H. B. 196).	
to protect fish in certain lakes in (H. B. 308).	
to legalize the action of drain commissioner of (H. B. 245).	
CEDAR SPRINGS,	
to incorporate the village of (H. B. 156).	
CEMETERIES,	
to provide for vacating (S. B. 69).	
to authorize townships to appropriate lands for (H. B. 447).	
CHAMBERLAIN, WILLIAM, of Berrien,	
resolution directing Clerk to procure additional copies of daily journal, offered by	46
petition presented by	410
remonstrance presented by	885
bill introduced by	863
chairman of committee of the whole	1297
resolution relative to daily sessions, offered by	2132
CHANNEL,	
to ask Congress to aid in deepening, between the waters of Lake Superior and Eagle Harbor (H. J. R. 11).	
CHAPATON, ALEXANDER,	
nomination of, to office of State Building Commissioner	2256-7
CHARLEVOIX AND ANTRIM,	
to provide for drainage and reclamation of swamp lands in counties of (S. B. 70).	
CHARLOTTE,	
to incorporate the city of (S. B. 148).	
to amend act to incorporate (S. B. 195).	
CHERRY, HENRY P., of Barry,	
joint resolution introduced by	73
bill introduced by	230
resolution relative to daily sessions, offered by	435
petitions presented by	519, 1346
remonstrances presented by, 583, 624, 887-8, 946-7, 1030, 1205, 1845	
CHESHIRE,	
to extend time for collection of taxes in township of (H. B. 468).	
CHEBOYGAN,	
to incorporate the village of (H. B. 363).	
CHESANING,	
to amend charter of village of (H. B. 422).	
CHILDS, AARON, of Washtenaw,	
petitions presented by	162, 520, 557
remonstrances presented by, 477, 519, 554, 796, 799, 1269, 1540, 1629	
memorials presented by	204, 1365
appointed on special committee	173
bill introduced by	196-7
CHILDREN,	
to compel, to attend school (H. B. 532).	
CHILDREN'S BANKING ASSOCIATIONS,	
to provide for the incorporation of (H. B. 243.)	

INDEX.

2579

PAGE.

CHILDREN'S BANKING ASSOCIATION OF MICHIGAN, to provide for the incorporation of (H. B. 21).	
CHRIST, CHURCHES OF, to provide for the union of (H. B. 594).	
CIRCUIT COURTS, requiring clerks of, to furnish statement of business done (S. J. R. 1).	
CIRCUIT COURT COMMISSIONERS, to facilitate the business of (H. B. 160). to provide for election of two (S. B. 11).	
CIRCUIT JUDGES, restricting boards of supervisors from giving extra compensa- tion to (H. B. 236.)	
CITIES AND VILLAGES, to provide for laying out (H. B. 449). to appoint commissioner to draft law for incorporation of (H. B. 613).	
CLAM UNION, to organize the township of (H. B. 127).	
CLARE, to organize the county of (H. B. 118.)	
CLARENCE AND SHERIDAN, to change the boundaries of certain fractional school districts of (H. B. 331).	
CLEMENT, JOSHUA, of Jackson,	
petitions presented by.....	267, 387
remonstrance presented by	789
bills introduced by	392, 459-60, 876
appointed on special committee.....	1355
CLERK,	
House called to order by.....	3
N. B. Jones elected to the office of.....	9
authorized to appoint assistants.....	12, 21
instructed to furnish manuals.....	12
authorized to appoint messenger.....	14
directed to furnish daily journal.....	14
appointment of messenger by.....	16
appointment of assistants by.....	22-3
directed to secure translation and printing of Governor's mes- sage in foreign languages.....	76
appointed on special committee.....	1355
directed to compile and index daily journal.....	2359, 2391, 2412, 2553
directed to mail journals to members.....	2441
thanks of House tendered to.....	2538
CLERK OF JUDICIARY COMMITTEE,	
appointment of, authorized.....	37
appointment of, announced.....	139-40
CLERGYMEN OF LANSING,	
committee appointed to invite, to officiate as chaplain.....	14-15
daily journal ordered sent to.....	24
CLIMIE, ANDREW, of St. Joseph,	
bills introduced by.....	49, 647, 863, 863, 864, 873, 874, 875
petitions presented by.....	409, 626, 866, 1302
joint resolution introduced by.....	863
chairman of committee of whole.....	943
remonstrances presented by.....	1302, 1344
memorial presented by.....	1639
resolution directing general laws to be sent to supervisors, offered by.....	2116

	PAGE.
CLOAK-ROOM KEEPER,	
appointment of, authorized.....	13
appointment of, announced.....	38
COCHRANE, LYMAN, of Wayne,	
appointed on special committee.....	18
bills introduced by, 169, 537, 609, 610, 648, 766, 788, 789, 790, 792, 793, 819, 820, 821, 858, 859, 860, 875, 876.	
petitions presented by, 178, 240, 268, 408, 481, 666, 779-80, 835, 898, 1078, 2237.	
resolution requesting James S. Dewey, compiler of laws, to in- form House of obsolete laws.....	394
chairman of committee of whole.....	395
resolution relative to bills to extend time to collect taxes, offered by.....	435
remonstrances presented by, 627, 1112, 1201, 1270, 1542, 1630, 1787, 1937.	
memorials presented by.....	408, 799, 1603, 2024
appointed on special committee.....	2074, 2461
resolution of thanks to third House, offered by.....	2547
COLDWATER,	
authorized to aid in building jail and sheriff's house (S. B. 18).	
to remove dead from a certain cemetery therein (S. B. 167).	
to amend charter of (S. B. 196).	
COMMITTEES, STANDING,	
appointment of, announced.....	30-1
COMMUNICATIONS,	
from Detroit Savings Fund Institute.....	83
from Quartermaster-General.....	145-7
from J. L. and S. railroad.....	177
from Superintendent of Public Instruction.....	423
from State Treasurer.....	451, 1946, 2317
from Auditor General.....	547, 1928, 1766, 2254
from Commissioner of State Land Office.....	1018, 1390, 2414
from common council of Detroit.....	1189-90
from Attorney General.....	1641
from Secretary of State.....	2317-19
from Swamp Land State Road Commissioner.....	2499
COMMISSIONER OF STATE LAND OFFICE,	
communication from, relative to lots donated to religious de- nominations in Lansing.....	1018-19
communication from, relative to vacant and part-paid State lands in T. 12 and 13 N., R. 6 E.....	1890-1
communication from, relative to interest due Calhoun county from swamp land fund.....	2414
authorized to issue certificates of primary school land to Patrick Daily (H. J. R. 17).	
COMMISSIONERS OF HIGHWAYS,	
to authorize, to bring suits for vacation of plank or gravel roads (H. B. 539).	
to confer upon, certain powers relative to plank or gravel roads (H. B. 218).	
to authorize, to alter or vacate territorial roads (H. B. 29).	
COMMISSIONERS,	
to prepare general laws for compilation (H. B. 80).	
COMPILER OF MANUAL,	
editor of "State Republican" appointed as.....	34
COMPILER OF LAWS,	
James S. Dewey elected as.....	370-3
requested to furnish list of obsolete laws.....	394

COMPILED LAWS,

- in relation to the sale of (H. J. R. 81).
- in reference to the printing and binding of (H. J. R. 32).
- to amend section 22, chapter 21 (H. B. 20).
- to amend section 3260 (H. B. 37).
- to amend section 13, chapter 51 (H. B. 43).
- to amend section 7, chapter 19 (H. B. 63).
- to amend sections 5756 and 5658 (H. B. 74).
- to amend section 3617 (H. B. 85).
- to amend section 3866 (H. B. 86).
- to amend sections 5 and 6, chapter 37 (H. B. 100).
- to amend sections 10 and 11, and repeal section 12, chapter 166 (H. B. 119).
- to amend section 5645 (H. B. 120).
- to amend sections 4773-4-5-6 (H. B. 124).
- to amend section 2149, chapter 73 (H. B. 136).
- to amend section 5651 (H. B. 155).
- to amend section 5, chapter 58 (H. B. 158).
- to amend section 27, chapter 141 (H. B. 165).
- to amend section 2, chapter 140 (H. B. 166).
- to amend section 17, chapter 68 (H. B. 167).
- to amend chapter 78 (H. B. 172).
- to amend section 1529 (H. B. 180).
- to amend section 2, chapter 141 (H. B. 222).
- to amend section 2904 (H. B. 227).
- to amend chapter 95 (H. B. 229).
- to amend section 4778, chapter 141 (H. B. 273).
- to amend section 42, chapter 117 (H. B. 292).
- to amend section 11, chapter 78 (H. B. 331).
- to amend section 16, chapter 7 (H. B. 369).
- to amend chapter 167 (H. B. 396).
- to amend sections 200-1-2-3, chapter 7 (H. B. 397).
- to amend section 2266 (H. B. 412).
- to amend section 4326, chapter 127 (H. B. 420).
- to amend sections 1661 and 1663, chapter 52 (H. B. 462).
- to amend section 18, chapter 181 (H. B. 463).
- to amend chapter 52 (H. B. 472).
- to repeal chapter 170 (H. B. 489).
- to repeal chapter 40 (H. B. 492).
- to amend sections 4110 and 4111 (H. B. 493).
- to amend section 5721, chapter 180 (H. B. 494).
- to repeal chapter 168 (H. B. 495).
- to amend sections 4985 and 4998, and repeal section 5002 (H. B. 498).
- to amend section 15, chapter 175 (H. B. 510).
- to amend section 455, chapter 10 (H. B. 516).
- to amend section 3694, chapter 117 (H. B. 522).
- to amend sections 7, 8, 9, and 10, chapter 11 (H. B. 551).
- to repeal section 2350 (H. B. 564).
- to amend sections 1025 and 1130, chapter 21 (H. B. 568).
- to amend section 1000, chapter 19 (H. B. 569).
- to amend section 150, chapter 117 (H. B. 601).
- to amend section 3300, chapter 78 (H. B. 610).
- to amend section 10, chapter 113 (S. B. 15).
- to repeal section 20, chapter 140 (S. B. 16).
- to amend section 5362 (S. B. 17).
- to amend section 150, chapter 117 (S. B. 20).
- to amend section 6, chapter 124 (S. B. 21).
- to repeal section 5879 (S. B. 27).

COMPILED LAWS,

- to amend section 296 (S. B. 84).
- to amend section 56, chapter 10 (S. B. 45).
- to amend section 457 (S. B. 48).
- to amend section 25, chapter 140 (S. B. 94).
- to amend sections 5318 and 5323 (S. B. 124).
- to amend sections 3993 and 3994, chapter 119 (S. B. 125).
- to amend chapter 26 (S. B. 126).
- to amend sections 1662 and 1663 (S. B. 150).
- to amend section 1813 (S. B. 157).
- to amend section 10, chapter 105 (S. B. 184).

COMPULSORY EDUCATION,

- report of committee relative to.....1384-5
- to provide for (H. B. 532).

CONCORD,

- to incorporate the village of (H. B. 198).

CONCURRENT RESOLUTIONS (of the House),

- to appoint Seth Lewis postmaster.....12, 21
- to appoint Henry O. Hall postmaster.....12, 22
- relative to printing Governor's message.....47, 62
- relative to adjournment, to visit institutions.....101, 118, 201
- relative to granting pensions to surviving soldiers of war of 1812.....155, 171, 215, 253, 347
- to extend the operation of the extradition treaty, 346, 394, 451, 496
- relative to finance report of Hon. J. B. Walker, 485, 472-3, 545-6, 575, 576, 653.
- relative to D., D., and B. Asylum, 435, 472-3, 545-6, 575, 576, 653.
- relative to removing books in State library.....1129, 1192
- relative to considering local bills.....1318, 1357
- relative to meaning of resolution directing sending general laws to supreme judges and others.....1821, 1401, 2191
- relative to repeal of tariff duties on lumber and salt.....1574, 1800
- relative to adjournment.....1595, 1801, 1978
- relative to final adjournment.....1638, 1801, 2043, 2412, 2553
- to place flag at half-mast out of respect to memory of Hon. J. M. Howard.....2052, 2067, 2376
- for a joint convention to act upon nominations of Governor, 2056, 2122, 2376.
- directing Secretary of State to forward general laws to supervisors.....2116, 2300
- directing Clerk and Secretary of Senate to index journals, 2359, 2391, 2412, 2553.

CONCURRENT RESOLUTIONS (from the Senate),

- to transmit daily journal to judges and others.....17
- to adopt joint rules.....17
- to appoint Seth Lewis postmaster.....18
- for joint convention to receive Governor's message.....19
- to transmit daily journal to clergymen.....24
- to publish Manual.....33
- to appoint compiler of Manual.....34
- to give 25 copies of Manual to State Library.....111
- for adjournment to visit State institutions.....237
- for joint convention to elect compiler of general laws.....333-3
- relative to Deaf, Dumb, and Blind Asylum.....551, 567
- to print report of special commissioners on penal, reformatory, and charitable institutions.....1090
- instructing Auditor General relative to distribution of his report.....1400

	Page.
CONGDON, JAMES M., of Washtenaw, appointed on special committee.....	170-1
memorial presented by.....	1073
CONGRESSIONAL DISTRICTS, to divide the State into (H. B. 436).	
CONSTITUTION, STATE, to amend section 1, article 11 (H. J. R. 1). to amend section 1, article 9 (H. J. R. 29). amendment to, providing that penal fines may be used for either library or primary school fund (H. J. R. 88). amendment to, providing for female suffrage (H. J. R. 44). to amend by adding a new section to article 19-a, "Of rail- roads" (S. J. R. 12). to amend section 7, article 6, and section 1, article 9 (S. J. R. 18).	
CONTESTED ELECTIONS, report of committee on elections in case of Wells <i>vs.</i> Boyce.....	328-31
minority report of committee on elections in case of Wells <i>vs.</i> Boyce.....	360-9
action of House in case of Wells <i>vs.</i> Boyce.....	373-5
CONTRACTS, STATE, to amend act to provide for letting, for fuel and stationery, printing and binding (S. B. 102). to amend act relative to letting, by State officers, boards of con- trol, inspectors, or commissioners (S. B. 171).	
CONVICTS IN STATE PRISON, to provide for paying, a certain sum per year (H. B. 226).	
COOK, SAMUEL F., appointment of, as Assistant Clerk.....	22-3
COOPERSVILLE, to incorporate the village of (S. B. 43).	
CO-OPERATIVE AND MUTUAL BENEFIT ASSOCIATIONS, to amend act to provide for incorporation of (H. B. 266). relative to foreign, transacting business in this State (H. B. 374).	
COPLEY, ALEXANDER B., of Cass, petitions presented by.....	41, 123, 666, 738
bills introduced by...90, 112, 221, 537, 571-2, 610-11, 766, 822-3, 865. chairman of committee of the whole.....	578
remonstrance presented by.....	582
appointed on special committee.....	1355
CORPORATIONS AND JOINT STOCK COMPANIES, relative to proof of, in certain cases (H. B. 531).	
CORUNNA, to incorporate the public schools of (H. B. 444). to amend the charter of (H. B. 110).	
COULTER, JOHN F., of Cass, bills introduced by.....	45, 61, 113, 264, 460, 501, 832, 852
petitions presented by, 103, 141, 163, 411, 521, 556, 738, 796, 827, 1212. appointed on special committee.....	1355
chairman of committee of the whole.....	1701, 1802
COUNTY AUDITORS, providing for the election of (H. B. 608).	
COUNTY BRIDGES, in relation to (H. B. 460).	
COUNTY CLERKS, to amend law relative to appointing deputies by (H. B. 479).	

	PAGE.
COUNTY SUPERINTENDENT OF SCHOOLS, report of committee on education relative to.....	950-4
to amend act to provide for (S. B. 189).	
to repeal act creating the office of (H. B. 172).	
COUNTY TREASURERS, notice to, of lists of railroad-grant lands (H. B. 589).	
COURT OF THE UNITED STATES, providing for holding terms of, on Saginaw river and in Upper Peninsula (H. J. R. 24).	
CRANE, ARCHER H., of Lenawee,	
bills introduced by.....	61, 610, 831, 864, 868, 876
resolution relative to electing U. S. Senator, offered by.....	76
appointed on special committee.....	171, 1734
petitions presented by.....	240, 1138
chairman of committee of the whole.....	1019
CRAYATH, ISAAC M.,	
remarks of, at presentation of portrait of Charles Carroll.....	2266-72
CRIME,	
extradition of persons accused of (H. B. 614).	
CROFOOT, GEORGE W., of Livingston,	
bills introduced by.....	112, 498
petitions presented by.....	477, 521-2, 581, 1072
remonstrances presented by.....	522, 582, 835, 1072
CRUELTY TO ANIMALS,	
for the more effectual prevention of (H. B. 64).	
to incorporate the Michigan Society for the Prevention of (H. B. 65).	
for the prevention of, and to repeal section 5879 of compiled laws (S. B. 27).	

D.

DAILY JOURNAL,	
Clerk directed to procure 1,000 copies of.....	14
State printer directed to transmit, to judges, etc.....	17
State printer directed to transmit, to clergymen.....	24
DAILY, PATRICK,	
Commissioner of State Land Office directed to issue certificates of primary school lands to (H. J. R. 17).	
DALTON, LAWRENCE, of Wayne,	
bills introduced by.....	277, 354, 571, 766, 767
petitions presented by.....	735, 1540
remonstrance presented by.....	1214-15
DAMS,	
to amend act to provide for construction of (H. B. 507).	
DEAF, DUMB, AND BLIND ASYLUM,	
resolution relative to finance report of, 435, 472-3, 545-6, 575, 576, 653-4.	
resolution for a special committee to report respecting appro- priations asked for.....	551, 567-8
report of committee on, relative to.....	1444-8, 1816
report of minority of committee on, relative to.....	1545-7, 1817-18
report of committee on, relative to statement of trustees pub- lished in "Detroit Free Press".....	1636-7
nomination of trustee of.....	2256-7
to amend act to establish (H. B. 180).	
making appropriations for (H. B. 376, 586, S. B. 153).	

INDEX.

2585

PAGE.

DEER, to prevent hounding of (H. B. 68).	
DEERFIELD, to legalize the tax-rolls of the township of (H. B. 19).	
DELHI, to authorize township of, to raise money to drain a swamp (H. B. 159).	
DETROIT, communication from common council of.....	1189-90
to extend time for collection of taxes in (S. B. 24).	
to amend the charter of (S. B. 25, H. B. 186, 258, 404).	
to amend act relative to free schools in (S. B. 77).	
to amend act to establish a police government for (S. B. 85).	
to legalize society known as the Literary Adelphi of (S. B. 97).	
relating to a public park for the use of (S. B. 121).	
to create a fire commission in (H. B. 206).	
to legalize the acts of the board of fire commissioners of (H. B. 238).	
to amend act to establish a police court in (H. B. 289).	
to provide for the transmission of the official publications of the State to the free library of (H. B. 241).	
to provide for a board of public works in (H. B. 318).	
to establish a police government in (H. B. 402).	
to confirm the powers, privileges, and rights of the board of metropolitan police in (H. B. 403).	
to amend act to authorize common council to divide any ward of, into two or more election districts (H. B. 467).	
DETROIT HOUSE OF CORRECTION, in addition to the acts relating to (H. B. 150).	
to amend act supplementary to act to establish (S. B. 66).	
to provide for the punishment and detention of persons in (S. B. 181.)	
DETROIT RIVER PLANK ROAD, to vacate one mile of H. B. 548).	
DEWEY, JAMES S., election of, as compiler of general laws.....	370-3
requested to report to Legislature obsolete laws.....	394
DETROIT DAILY POST, proceedings relative to an article published in.....	727-34
DISSECTION, to amend act to authorize (S. B. 75).	
DITCHES, DRAINS, AND WATER-COURSES, to amend act authorizing the locating, establishing, and constructing of (S. B. 177).	
DIVORCE CASES, to provide for and regulate the taking of testimony in (H. B. 618).	
DOES, to repeal act relating to a tax upon (H. B. 27).	
to amend act to provide for a tax upon (H. B. 39).	
DOTY, PHILO, of Clinton, petitions presented by.....	337, 556, 580, 898, 899, 997
remonstrances presented by.....	405, 406, 898, 997, 1810
bill introduced by.....	698
DRAINAGE, to repeal act to provide for, of swamps, marshes, and other low lands (H. B. 14).	

- DRAINAGE**,
for the improvement of sanitary condition of the people of the State by (H. B. 153).
to establish the township system of (H. B. 59).
- DRAIN COMMISSIONER**,
to authorize the election of a township (H. B. 59).
- DRAINAGE TAXES**,
to provide for sale of lands encumbered with (H. B. 233).
- DRAYING**,
to prohibit railroad companies from being engaged in (S. B. 159).
- DRUNKENNESS**,
to subject all persons holding office under the State government to removal for (H. B. 454).
- DRYDEN**,
to organize union school district in the township of (H. B. 482).
- DUCK LAKE**,
to improve and deepen outlet of (H. B. 337).
- DUNCAN, DAVID**,
to sell estate of, and erect monument at grave of (H. J. R 8).
- DUNDEE**,
to incorporate the village of (S. B. 113).
- DWIGHT**,
to legalize the tax-roll of township of (H. B. 439).

E.

- EAGLE HARBOR**,
to lay out a State road in township of (H. B. 42).
- EAST BAY**,
to legalize the tax-roll of township of (H. B. 320).
- EAST SAGINAW**,
to amend charter of (S. B. 134).
to authorize city of, to build a bridge across Saginaw river (S. B. 136).
to authorize common council of, to re-assess certain street improvements (S. B. 186, 187, 188).
- EASTON**,
to legalize certain roads in township of (H. B. 324).
- EATON RAPIDS**,
to incorporate the village of (H. B. 607).
to authorize justices of the peace of township of Hamlin to hold courts in (H. B. 289).
- EDWARDS, WILLIAM J., of Berrien**,
petitions presented by.....161, 409, 797, 798
bills introduced by.....537, 635
joint resolution introduced by.....863
- EJECTMENT**,
to quiet title to certain lands, and prescribe conditions and limitations of actions in (H. B. 188).
- ELECTIONS**,
report of committee on, in case of Wells *vs.* Boyce.....328-31
report of minority of committee on, in case of Wells *vs.* Boyce.....360-9
report of committee on judiciary relative to meaning of constitution as to what constitutes general.....810-13
to amend act to preserve purity of (H. B. 465, 466).
- ELECTION DISTRICTS**,
to provide for the division of townships into (H. B. 512).

ELECTIVE FRANCHISE, to publish laws relating to (S. J. R. 6).	
ELY, to organize the township of (H. B. 418).	
EMIGRANT AGENTS, to provide for payment of (H. B. 455).	
EMMET COUNTY, Auditor General authorized to charge certain tax due to, to Charlevoix county (H. J. R. 80). to detach from 11th judicial circuit, and attach same to 13th judicial circuit (S. B. 183).	
EMPIRICISM, remonstrance against bill to prevent..... to protect the people of the State from (H. B. 53).	1587-90
ENGROSSING AND ENROLLING CLERK, election of H. N. Lawrence to the office of..... authorized to appoint assistant..... appointment of assistant by..... thanks of House tendered to.....	11 12 288 2546
ESTELL, JOHN G., Governor authorized to convey certain lands to (H. J. R. 21).	
EXECUTIONS AND JUDGMENTS, relative to issuing of, in certain cases (H. B. 205).	
EXECUTION, relative to proceedings supplementary to (H. B. 431).	
EXECUTORS, ADMINISTRATORS, OR GUARDIANS, to legalize sales of lands made by (H. B. 221).	
EXPRESS COMPANIES, to amend act to regulate (H. B. 269).	
EXTRADITION, concurrent resolution on subject of treaty relative to, 346, 394, 451, 486 asking Congress to extend provisions for, of persons accused of crime (S. J. R. 2). relating to, of persons accused of crime (H. B. 614).	

F.

FAIR GROVE, GILFORD, AND DENMARK, to legalize action of joint board of school inspectors of (S. B. 23).	
FARMERS' MUTUAL INSURANCE COMPANY, to legalize the proceedings of, of Macomb and St. Clair coun- ties (S. B. 152).	
FATHER MATTHEW TOTAL ABSTINENCE BENEVOLENT SOCIETIES : to amend act to provide for incorporation of (S. B. 35).	
FEES, regulating, of judges of probate, clerks of courts, justices of peace, and notaries public (S. B. 9).	
FENTON, CHARLES B., of Mackinac, appointed on special committee..... motion by, to print message in French language..... resolution to invite Prof. Winchell to lecture, offered by..... petitions presented by..... memorials presented by..... remonstrances presented by..... chairman of committee of the whole..... bills introduced by..... joint resolutions introduced by..... remarks by, on death of Hon. John Landon.....	13, 30 28 160 162, 408, 778, 1344 797 1113, 1188, 1850, 2143 474 490, 788, 792, 817 700, 701, 817, 865 1368-4

	PAGE.
FERRIS, RICHARD, of Allegan, resolution relative to empowering school inspectors to establish a uniformity of text-books in public schools, offered by	73-6
memorials presented by	122, 382
petitions presented by	911, 925
bill introduced by	853
appointed on special committee	2523
FERRY, ASA P., of Kent, answered to name	15
petitions presented by	406, 445, 522, 586, 1272
remonstrances presented by	582, 606, 899, 948, 1029-30, 1110, 1272
memorial presented by	406
bill introduced by	648
FERRY COMPANIES, to provide for the incorporation of (S. B. 103).	
FERRY, THOMAS W. election of, as United States Senator	154, 173-6
FIREARMS, to amend act to prevent the careless use of (H. B. 511).	
FIREMEN, Speaker authorized to appoint	13
appointment of, announced	16
extra compensation allowed to	2391-2
FIRE COMMISSION, to create, in city of Detroit (H. B. 206). to legalize proceedings of, in Detroit (H. B. 238).	
FIRE AND MARINE INSURANCE COMPANIES, to amend act relative to organization and powers of (H. B. 421, S. B. 91).	
FISCAL YEAR, to establish, for the State Treasury (S. B. 74). to amend laws relating to (H. B. 369).	
FISH, to protect, in certain lakes in Cass county (H. B. 303).	
FISHERIES, to appoint commissioners to improve (H. B. 277).	
FISHING, to amend act to prevent, with seines and nets (H. B. 306, S. B. 50).	
FLINT, to amend charter of (H. B. 10, 317). to extend time for the collection of taxes in (H. B. 92). to provide for the election of aldermen in the fourth ward of (H. B. 182). to provide place for holding election of township of (H. B. 397).	
FLINT AND FENTONVILLE PLANK ROAD, to amend act to incorporate (H. B. 314).	
FLINT AND PERE MARQUETTE RAILWAY, asking Congress to extend time for completion of (S. J. R. 4).	
FLOWERS, EDNA F., to change the name of (H. B. 380).	
FOREST, to organize the township of (H. B. 70).	
FORT STREET, to amend act to authorize the improvement of (H. B. 71).	
FORT STREET AND ELMWOOD RAILWAY COMPANY, to change the name of (H. B. 148).	

FORSYTH,	
to organize the township of (H. B. 94).	
FOWLERVILLE,	
to incorporate village of (S. B. 117).	
FREE AND ACCEPTED MASONS,	
to amend act to incorporate the Grand Lodge of (S. B. 37).	
FREE LIBRARY OF DETROIT,	
official State publications to be sent to (H. B. 241).	
FREE PUBLIC SCHOOLS,	
asking Congress to establish a national system of (S. J. R. 11).	
FROST, ALMON B., of Oakland,	
petitions presented by.....	51, 67, 625
remonstrance presented by.....	736-7
bill introduced by.....	881
FRUITPOET,	
to change name of township of Lowell to (H. B. 391).	
FRUIT PACKAGES,	
to regulate the size of (H. B. 593).	

G.

GALIEN,	
to incorporate the village of (S. B. 190).	
GAME,	
to amend act to protect (H. B. 181).	
GARFIELD, SAMUEL M., of Kent,	
bills introduced by.....	355, 647, 705, 789, 874
petitions presented by.....	446, 1112-13
remonstrances presented by, 625, 778, 797, 884, 886, 918, 1212,	
1271, 1345.	
GARNISHMENT,	
to amend act to authorize proceedings by, in Upper Peninsula	
(H. B. 285, 497).	
GARRISON, WILLIAM D., of Shiawassee,	
petitions presented by, 161, 204, 443, 479, 520, 555, 580, 626,	
664, 899, 998, 1029.	
bills introduced by.....	263-4, 538, 571, 703, 830
memorial presented by.....	267
remonstrances presented by.....	665, 997
GENERAL ELECTION,	
report of committee on judiciary as to what constitutes, under	
constitution.....	810-13
GENERAL LAWS,	
to pay newspapers for publishing (S. B. 1).	
to compile and reprint (S. B. 6).	
GENERAL RAILROAD LAW,	
to add certain sections to (S. B. 169).	
general revision of (S. B. 180).	
GENEVA,	
to legalize tax-roll of township of (H. B. 35).	
GEOLOGICAL SURVEY,	
report of committee on, relative to.....	303-6
report of committee on ways and means relative to.....	1450-3
making additional appropriations for (H. J. R. 12).	
relating to depositing notes, etc., of, with Secretary of State	
(H. J. R. 37).	
to repeal act to provide for (H. B. 343).	
to amend act to provide for (H. B. 355, 567).	

	Page
GEORGE, W. S., & Co., thanks of House tendered to.....	2548
GEROY, JENNIE AND MARCUS, to change names of (S. B. 31).	
GIBSON, JOHN, of Wayne, bills introduced by.....61, 83, 498, 500, 610, 822, 852, 853, 870, 874 petitions presented by.....581, 582, 583, 996, 1031, 1881 remonstrances presented by.....834, 1270, 1345, 1736-7	
GILFORD, BLUMFIELD, AND PORTSMOUTH, to construct a ditch in townships of (H. B. 526).	
GILFORD AND PORTSMOUTH DITCH, to provide for drainage of swamp lands by means of (H. B. 535).	
GILLAM, GEORGE F., of Branch, bills introduced by.....74, 278, 460, 861, 874 petitions presented by.....444, 797, 798 joint resolution introduced by.....501 remonstrance presented by.....798 resolution to take no bills from general order, offered by.....1528 chairman of committee of the whole.....1942	
GLEN ARBOR, to change name of Sleeping Bear to (S. B. 61). to change name of township of (S. B. 63).	
GORMAN, PATRICK, of Monroe, bills introduced by.....168, 821, 830 petitions presented by.....238, 730 remonstrances presented by.....996, 1110	
GOVERNOR, message of, delivered in joint convention.....30 message from, transmitting preamble and resolutions of National Immigration Convention.....108-9 message from, approving bills and joint resolutions, 155-6, 228-7, 298, 400, 429, 622, 844, 919, 961-2, 1045-6, 1145-6, 1147, 1813, 1559-60, 1822-3, 1884-5, 2037-9, 2082, 2083-4, 2085, 2375-6, 2408-9, 2495-9, 2559-65, 2565-7, 2568. message from, of pardons issued.....227-31 message from, vetoing bill to legalize the first charter election of the village of Plainwell.....429-30 message from, vetoing bill to extend time for collecting certain ditch taxes in Novi.....431-3 message from, vetoing bill to legalize the tax-roll of Alpena.....433-4 message from, vetoing bill to amend act to regulate tolls on plank roads in Bay, Clinton, Gratiot, and Saginaw counties...1099-1101 message from, transmitting preamble and resolutions of Lincoln Franco-American Association.....1388-9 message from, relative to death of Hon. Jacob M. Howard....2048 message from, relative to submitting nominations.....2053 message from, transmitting nominations.....2256 message from, vetoing bill to legalize action of commissioners of highways in laying out certain ditches in township of Ash.....2376-8 message from, vetoing bill to authorize city of Hastings to issue bonds for building bridges.....2409-11 authorizing, to sell ordnance and ordnance stores (H. J. R. 7). authorizing, to convey certain lands to John G. Estell (H. J. R. 21). authorizing, to issue testimonial certificates to discharged soldiers (H. J. R. 25)	

	PAGE.
GOVERNOR'S MESSAGE,	
resolution relative to reference of.....	27
resolution to print, in foreign languages.....	27-8, 47, 62-3, 170
special committee to report on reference of.....	80
report of committee on reference of.....	54-6
GRADED AND HIGH SCHOOLS,	
to amend act to establish (H. B. 411, 474).	
GRAND HAVEN,	
to amend charter of (H. B. 261).	
GRAND RAPIDS,	
to amend charter of (H. B. 223, S. B. 141).	
relative to free schools in (S. B. 88).	
GRAND RAPIDS AND INDIANA R. R. Co.,	
memorial of, relative to taxing lands granted by Congress....	2024-32
to pay over to, certain moneys collected by the State from tres- passes on lands of (S. J. R. 8).	
GRAND LEDGE,	
to incorporate the village of (H. B. 99).	
GRASS LAKE,	
to incorporate the village of (H. B. 145).	
GRANT, CLAUDIUS B., of Washtenaw,	
resolution authorizing Sergeant-at-Arms to appoint Assistant, offered by.....	12
bills introduced by.....	60, 219-20, 790, 817, 867
appointed on special committee.....	84
joint resolutions introduced by.....	198, 768
petitions presented by.....	268, 555, 589, 635, 626, 735, 736, 1072
resolution granting use of hall to L. D. Dibble, Esq., offered by,	295
resolution instructing committee on judiciary to report a general law for the incorporation of cities and villages, offered by....	325
remonstrances presented by.....	624, 1270
resolution inviting Dr. J. P. Tustin to lecture, offered by.....	1209
resolution relative to local bills, offered by.....	1817-18
remarks by, on death of Hon. J. M. Howard.....	2062-3
chairman of committee of the whole.....	2801
resolution granting extra compensation to Assistant Clerks, offered by.....	2515
GRANT, ROBERT J., of Barry,	
bills introduced by.....	90, 219, 459, 821
petitions presented by, 141, 206, 409, 581, 625, 888-9, 912-13, 948-9, 1028, 1200, 1271, 1936-7.	
remonstrances presented by.....	665, 738, 913, 1272, 1936
resolution to remove books from State library, offered by.....	1094-5
GRATIOT COUNTY,	
to lay out and construct a ditch or drain in (H. B. 435).	
GRAVEL AND PLANK ROAD COMPANIES,	
to confer upon commissioners of highways and street commis- sioners certain powers in relation to (H. B. 218).	
GRAY, EDGAR L., of Newaygo,	
motion by, to print message in Swedish language.....	28
memorials presented by.....	178, 800
petitions presented by.....	205, 300, 478, 581, 584, 627, 777, 779
resolution for adjournment to visit State institutions, offered by,	201
bills introduced by, 220, 321, 392, 460, 499, 612, 702, 784-5, 798, 822, 825, 872, 873, 880, 881.	
substitute for resolution relative to report of Hon. J. B. Walker, offered by.....	478

	PAGE.
GRAY, EDGAR L., of Newaygo, resolution relative to taxing railroad-grant lands, offered by...	515
remonstrances presented by.....	582, 789, 900, 1073
chairman of committee of the whole.....	620
joint resolution introduced by.....	851
remarks of, on death of Hon. John Landon.....	1362-3
remarks of, on death of Hon. Jacob M. Howard.....	2070
GREAT BRITAIN, relative to extension of extradition treaty with government of (S. J. R. 2).	
GREEN, ORSON, of Lenawee, bill introduced by.....	219
petition presented by.....	581
remonstrance presented by	583
GREENVILLE, to incorporate the city of (H. B. 137).	
GREUSEL, JOHN, of Wayne, resolution to print Governor's message in German, offered by...	27
resolution relative to translation of Governor's message into foreign languages, offered by.....	76
resolution relative to printing bills as passed, offered by.....	118
bills introduced by.....	196, 870
remonstrances presented by.....	382, 406, 1212-13, 1269, 1270, 2046
petitions presented by.....	443, 519, 584, 777, 1028, 1366
resolution to drape flag, offered by	1365
remarks by, on death of Hon. Jacob M. Howard.....	2064-5
appointed on special committee.....	2074
resolution of thanks to Clerk and Assistants, offered by.....	2538
GROSVENOR, EBENEZER O., nominated as State Building Commissioner	2256-7
GROSVENOR, IRA R., of Monroe, joint resolutions introduced by.....	78, 393, 497, 890
appointed on special committee.....	84, 1734
petition presented by	84, 103, 122, 162, 178, 205, 381-2, 407, 478, 664, 898, 1071.
resolution for a special committee to investigate the subject of returns to, and sales by Auditor General, offered by.....	127
resolution for an additional messenger offered by.....	127
bills introduced by	148, 149, 414, 577, 698, 702, 769, 861
resolution of inquiry as to propriety of increasing taxation on railroad corporations, offered by.....	154-5
resolution relative to a general law for the incorporation of vil- lages, offered by.....	325
substitute for resolution relative to finance report of Hon. J. B. Walker, offered by.....	546-7
remonstrances presented by.....	665, 1072, 1587
resolution granting use of Hall to Prof. A. Winchell, offered by,	1405
resolution to limit time of speaking, offered by.....	1486
chairman of committee of the whole.....	2016-17
GROUT, to organize the township of (S. B. 41).	
GYMNASTIC ASSOCIATIONS, to amend act to authorize the formation of (H. B. 459).	
H.	
HAACK, BERNARD, of Saginaw, petitions presented by.....	40, 477, 898, 1270
remonstrances presented by.....	580, 2143

	PAGE.
HAACK, BERNARD, of Saginaw,	
memorial presented by.....	739
bill introduced by.....	608
HAINES, A. M.,	
appointment of, as clerk of judiciary committee.....	139
HAMLIN,	
to authorize justices of peace of, to hold courts in Eaton Rapids village (H. B. 289).	
HANTRAMCK,	
to incorporate the village of (H. B. 308).	
to extend time for collection of taxes in (H. B. 139).	
HARRIS, WILLIAM, of Ontonagon,	
joint resolution introduced by.....	73-4, 112, 703, 791, 883
petition presented by.....	240
HART, ALVIN N., of Ingham,	
appointed on special committee.....	13, 84, 2074
resolution to constitute a new committee on public buildings, offered by.....	38
memorials presented by.....	103, 1346, 1439, 2385
bills introduced by.....	414, 457, 645, 817, 830, 870, 881
joint resolution introduced by.....	500
petitions presented by.....	585, 911
remonstrances presented by.....	624, 1129, 1346
resolution to discharge committee on drainage from consideration of petition from Delhi, offered by.....	654
resolution to grant use of Hall to Democratic State Convention,	656
resolution to make committees on State affairs and education	
joint committee on subject of homeopathy, offered by.....	906
chairman of committee of the whole.....	993
resolution of thanks to Engrossing and Enrolling Clerk and Assistant, offered by.....	2546
HASTINGS,	
to incorporate the city of (H. B. 407).	
to change name of First Congregational Society of (H. B. 169).	
to revise charter of village of (H. B. 170).	
to authorize city of, to raise money to build bridges (H. B. 170).	
HASTY, GILBERT M.,	
to authorize adoption of an infant child by (S. B. 73).	
HAVEN, MARTIN,	
to authorize payment to, for live stock lost (H. J. R. 42).	
HAYNES, HARVEY, of Branch,	
resolution offered by, to adopt rules of last House.....	6
motion by, to appoint firemen.....	13
petitions presented by, 40, 67, 338, 626, 1138, 1212, 1345, 1488, 1881, 2076.	
chairman of committee of the whole.....	119, 1207, 1210
resolution to proceed to elect U. S. Senator, offered by.....	127
bills introduced by.....	877
resolution relative to daily sessions, offered by.....	905
appointed on special committee.....	1355
remarks of, on death of Hon. John Landon.....	1359
remonstrances presented by.....	1345
memorial presented by.....	1540
remarks of, on death of Hon. Jacob M. Howard.....	2068
resolution of thanks to citizens of Lansing, offered by.....	2546

	PAGE.
HAYNES, JOHN, of Midland,	
resolution directing Sergeant-at-Arms to procure additional table, offered by.....	14
resolution instructing committee on education to report bill to compel children to attend school, offered by.....	50
bills introduced by....60, 246, 276, 764, 768, 786, 787, 831, 854, 855, 856, 872, 875, 876.	
resolution to print lists of standing committees, offered by....	75
petitions presented by....205, 443, 520, 557, 776, 834, 835-6, 887, 912, 1204, 1271, 1982, 2120.	
resolution to grant use of Hall to Mr. L. D. Dibble, offered by chairman of committee of the whole.....	295
remonstrances presented by....624, 779, 835, 1345, 1810, 1846, 1982, 2076.	1932
resolution to suspend rules relative to introduction of bills, offered by.....	769
resolution to adjourn, offered by.....	769
resolution instructing Clerk to furnish general-order cards, offered by.....	1094
resolution requesting Commissioner of State Land Office to furnish statement of certain lands offered by.....	1317
resolution limiting leaves of absence, offered by.....	1330
appointed on special committee.....	1353
remarks of, on death of Hon. John Landon.....	1361
remarks of, on death of Hon. Jacob M. Howard.....	2072
memorial presented by.....	1936
resolution relative to minority of House, offered by.....	2547
resolution requesting report on female suffrage, offered by.....	2547
HAYWOOD, JAMES E., of Huron,	
petitions presented by.....	446, 480, 948, 1272, 1981
bills introduced by.....	785, 830
joint resolution introduced by.....	875
remonstrances presented by.....	1272, 1962
HAZEN, EZRA, of St. Clair,	
chosen Speaker <i>pro tem</i>	3
resolution instructing Clerk to furnish Manual, offered by.....	13
resolution to add a standing committee on drainage to House committees, offered by.....	27
memorials presented by.....	32, 299, 300
resolution to appoint a special committee on re-districting the State, offered by.....	37
bills introduced by, 45, 73, 458, 500, 607, 646, 785, 786, 817, 829, 851, 855, 856, 870, 881.	
motion by, to refer that portion of Governor's message relative to redistricting the State to a special committee.....	56
appointed on special committee.....	84, 1355, 2074
chairman of committee of the whole.....	98, 1319
joint resolutions introduced by.....	149, 855
petitions presented by.....	410, 444, 481, 555, 737, 1204-5
remonstrance presented by.....	481
resolution to suspend rule of notice of bills, offered by.....	653
remarks of, on death of Hon. John Landon.....	1357
resolution for final adjournment, offered by.....	1698
remarks of, on death of Hon. Jacob M. Howard.....	2065-6
HAZLETON,	
to legalize acts of highway commissioners of township of (H. B. 217).	

HEATH, LIMAN, authorizing Commissioner of State Land Office to issue certificate of primary school land to (H. J. R. 5).	
HENDERSON, to organize the township of (H. B. 128).	
HIGHWAYS, to amend act relative to laying out, altering, and discontinuing (S. B. 10, 158, 213, H. B. 453). to lay out temporary (S. B. 71). relative to laying out, altering, and discontinuing (H. B. 487, 509).	
HIGHWAY COMMISSIONERS, to provide for election of three general and two special county (S. B. 200).	
HIGHWAY LAWS, for the distribution of (H. J. R. 18). authorizing Secretary of State to publish (H. B. 484).	
HILL, NICHOLAS R., of Kent, petitions presented by, 51, 407, 476, 521, 628, 737-8, 835, 899, 948, 1139, 1212, 1345. bills introduced by.....	60, 415, 646
memorial presented by.....	1845
HILL, SAMUEL W., of Keweenaw, bills introduced by.....	90, 393, 788, 789, 868, 882
petitions presented by.....	239, 269, 388, 409
joint resolution introduced by.....	278
resolution directing State Treasurer to furnish statement of specific taxes received from mining corporations, offered by,	436
resolution directing Auditor General to furnish statement of specific taxes received from mining corporations, offered by,	472
resolution to refer report of specific taxes received from mining corporations, offered by.....	654
chairman of committee of whole.....	2053-4
appointed on special committee.....	2255
HILLSDALE, to detach certain territory from city of (H. B. 456). to amend charter of (S. B. 170).	
HOLIDAYS, to amend act to designate (S. B. 5).	
HOLLAND, CHARLES E., bills introduced by.....	45, 703, 793, 824, 831, 883
joint resolutions introduced by.....	74
appointed on special committee.....	84
petitions presented by.....	206, 239-40, 268, 1346
resolution to grant use of Hall to Republican State Convention, offered by.....	656
chairman of committee of the whole.....	1023, 1596, 1597, 2116, 2215, 2219.
HOLLAND, to amend the charter of city of (S. B. 58).	
HOLT, HENRY H., of Muskegon, appointed on special committee.....	18, 30, 84
petitions presented by.....	40, 123, 142, 163, 522, 738, 778, 779, 949, 997, 1031, 1203-4.
motion by, to amend resolution relative to printing Governor's message in foreign languages.....	62
chairman of committee of the whole.....	80, 906, 1841, 2421
bills introduced by.....	125, 169, 500, 790, 791, 793, 818

	PAGE.
HOLT, HENRY H., of Muskegon,	
remonstrances presented by.....	582, 947, 1071, 1269, 1541, 2024
joint resolutions introduced by.....	414, 792
resolution relative to meaning of resolution to print and forward	
general laws, offered by.....	1321
resolution fixing time for final adjournment, offered by.....	2044
resolution for joint convention, offered by.....	2056
Speaker <i>pro tem.</i> , for the day.....	2075
resolution to accept portrait of Hon. Charles Carroll, offered	
by.....	2265-6
resolution relative to indexing journals and documents, offered	
by.....	2359
HOLTON,	
to organize the township of (H. B. 70).	
HOMEOPATHY,	
report of committee on State affairs on subject of.....	926
to provide for two professors of, in State University (H. B. 500,	
810).	
HOMEOPATHIC STATE HOSPITAL,	
to provide for the erection of (H. B. 310).	
HOMESTEAD CORPORATIONS,	
to authorize the formation of (H. B. 347).	
HOMER,	
to incorporate the village of (H. B. 134).	
HOUGHTON,	
to vacate certain townships in the county of (H. B. 372).	
to legalize action of board of supervisors of, in buidng a bridge	
across Portage lake (S. B. 201).	
HOUGHTON LAKE AND MUSKEGON RIVER,	
to provide for a canal between (H. B. 475).	
HOUSE OF CORRECTION,	
to amend act to establish (H. B. 153).	
HOUSEMAN, JULIUS, of Kent,	
petitions presented by.....	268, 408, 477, 627, 664, 796, 2024
bills introduced by.....	277, 498, 573, 764, 863
remonstrances presented by.....	1073, 1587, 1735
chairman of committee of the whole.....	2050
HOWARD, JACOB M.,	
message from Governor relative to death of.....	2048
resolution to place flag at half-mast in respect to memory of,	
2052, 2087.	
resolutions on death of.....	2058
remarks on death of.....	2058-74
committee appointed to attend funeral of.....	2074
memorial page in memory of (fly-leaf at opening of Vol. 1).	
HOWARD, SANFORD,	
resolutions on death of.....	1322
use of Hall tendered to family of, for the holding of funeral...	1311
HOWELL,	
to extend time of payment of certain ditch taxes in township	
of (S. B. 101).	
HOWLAND, JOHN C.,	
appointment of, as Assistant Clerk.....	23-3
HOYT, WILLIAM C., of Wayne,	
petitions presented by....	51, 140, 240, 383, 410, 477, 1030, 1270, 1996
bills introduced by....	66, 149, 393, 457, 458, 537, 610, 703, 766, 821
appointed on special committee.....	84
resolution of thanks to J., L. & S. R. R., offered by.....	177

INDEX.

2597

	PAGE.
HOYT, WILLIAM C., of Wayne, chairman of committee of the whole.....	254
remonstrances presented by.....	1196-1200, 1269, 1270
remarks of, on death of Hon. Jacob M. Howard.....	2062
HUBBARDSTON, to amend the charter of (S. B. 142).	
HUDSON, to transfer certain real estate to school district number 5 of township of (S. B. 57). to amend the charter of (H. B. 457). to detach certain territory from township of (H. B. 518).	
HUFF, HENRY, of Hillsdale, bills introduced by.....	125, 851
petitions presented by.....	445, 581, 582, 625, 883
remonstrance presented by.....	583
HUGHES, ROSSEL D., of Eaton, petitions presented by.....	477, 523, 581, 664, 1112, 1138, 1365, 2075
remonstrances presented by.....	406, 584, 779, 799, 1137, 1365, 2075
bills introduced by.....	824, 825, 868
chairman of committee of the whole.....	1576
appointed on special committee.....	2461
HURLBUT, WILLIAM H., of Van Buren, appointed on special committee.....	30, 1734
bills introduced by.....	89, 264, 354, 499, 538, 572, 832, 863, 873, 883
vote of, recorded in contested election case of Wells vs. Boyce, 381	
petitions presented by.....	440, 665, 778, 911, 1200, 1204
remonstrances presented by.....	441, 666, 913, 1205, 1270
resolutions in regard to "Detroit Daily Post" reporter, offered by.....	727-30
resolution to suspend order of business during remainder of session, offered by.....	2415
HUSTON, BENJAMIN W., JR., of Tuscola, resolution to appoint Henry O. Hall postmaster, offered by....	12
appointed on special committee.....	20, 84, 2523
elected Speaker <i>pro tem</i>	23
petitions presented by, 41, 163, 206, 268, 383, 410, 445, 446, 557, 925, 1203.	
bills introduced by, 60, 132, 149, 169, 198, 221, 263, 355, 611, 703, 816, 864, 866, 867, 876, 877, 883.	
resolution directing Clerk to ascertain of county clerks amount paid circuit judges as subsidies.....	101
chairman of committee of the whole.....	225, 1857
resolution relative to finance report of Deaf, Dumb, and Blind Asylum, offered by.....	473
appeal by, from decision of chair.....	541
resolution relative to motion to reconsider, offered by.....	575-6
resolution authorizing State Librarian to purchase six copies of Cooley's Constitutional Limitations, offered by.....	774
resolution to prohibit granting further use of Hall.....	945
resolution requesting Auditor General to furnish statement of amount received from sales of swamp lands, offered by.....	1193
resolution requesting Auditor General to furnish itemized ac- count of Swamp Land State Road Commissioner, offered by, 1487	
remonstrances presented by.....	1203, 1438, 1439
resolution requesting L. B. Curtis to report amount of time spent as Swamp Land State Road Commissioner, offered by, 2218	
resolution requesting Secretary of State to report the items of expense, and to whom paid, for collecting certain trespasses on public lands.....	2282-3

	Page.
HUSTON, BENJAMIN W., JR., of Tuscola, resolution of instructions on bill to continue office of Swamp Land State Road Commissioner, offered by.....	2461-2
thanks of House tendered to.....	2538-9
HYDRAULIC WORKS, to amend act relative to construction of, in cities and villages (H. B. 38).	

I.

ILLUMINATING OILS, to amend act to provide for inspection of (S. B. 211, H. B. 216).	
IMMIGRATION, to repeal act to promote (H. B. 441). to amend act to promote (H. B. 439). to authorize Alpena county to levy a tax to encourage (H. B. 104). resolutions of National Immigration Convention, subject of....	108-9
IMMIGRANT AGENTS, to provide for payment of, <i>per capita</i> (H. B. 455).	
IMPEACHMENT, to subject all office-holders to, for drunkenness (H. B. 454).	
INDETERMINATE SENTENCES, report of committee on State Prison relative to.....	489
INDIANFIELDS, to legalize organization of graded school in district number 3 of (H. B. 529).	
INDIAN RESERVATIONS, instructing members of Congress relative to (S. J. R. 5).	
INSANE ASYLUM, making appropriations for (H. B. 271, S. B. 49). to amend act to organize (H. B. 272).	
INSPECTOR GENERAL, Russell A. Alger, nominated to the office of.....	3256-7
INSURANCE, report of committee on, relative to establishing a bureau of... to establish a bureau of (H. B. 413).	1441-3
INSURANCE COMPANIES, to amend act in relation to life (H. B. 888, 499). to amend act in relation to fire and marine (H. B. 431, S. B. 91, 165, 178). regulating the responsibility of agents of (S. B. 155).	
INSURANCE BUREAU, to establish (H. B. 413).	
INTERMEDIATE PRISON, to provide for building (H. B. 539).	
INTOXICATING DRINKS, to amend law relative to sale of (S. B. 150, H. B. 251, 462, 472).	
IONIA, to amend charter of (H. B. 45, S. B. 32). to detach certain territory from township of (H. B. 527).	
ISHPEMING, to incorporate the village of (H. B. 102).	

J.

JACKSON, to amend charter of (S. B. 127, 198). to extend time for collection of taxes in (S. B. 140). to establish house of correction in county of (S. B. 207).	
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

	PAGE.
JACKSON, LANSING, AND SAGINAW RAILROAD,	
communication from Superintendent of.....	177
thanks of House tendered to.....	177
memorial of, relative to taxing land-grant lands	1847-50
JOHNSON, DANIEL,	
to change name of (H. B. 191).	
JOHNSON, CHARLES G.,	
nominated as trustee of D., D., and B. Asylum.....	2256-7
JOINT CONVENTION,	
to hear Governor's message.....	19-20
to elect United States Senator.....	178-8
to elect compiler of general laws.....	370-3
to receive nominations from Governor.....	2255-6
portrait of Charles Carroll presented in.....	2256-72
JOINT RESOLUTIONS—Senate:	
1. Requiring clerks of circuit courts to furnish statement of business done in said courts for the years A. D. 1860 and 1870, respectively, together with amount of jury and entry fees received by said clerks in said years :	
transmitted and referred.....	100-1
reported and referred to committee of whole.....	107
reported and ordered to third reading.....	129
recommitted, reported, amended, and passed.....	136
2. Requesting our Senators in Congress to take steps for the extension, by treaty with the government of Great Britain, of the provisions for the extradition of persons accused of crimes :	
transmitted and referred.....	597-8
reported and tabled.....	806-7
3. Relative to the purchase, by the State of Michigan, of block 115, in the city of Lansing :	
transmitted and referred.....	602-3
reported and referred to committee of whole.....	1305
reported and ordered to third reading.....	1384
passed.....	1965
4. Requesting the Representatives from this State in Congress to urge the passage by Congress of a bill now pending therein to extend the time for the completion of the Flint and Pere Marquette railway :	
transmitted and passed.....	656-7
5. Instructing the Senators and Representatives of the State of Michigan in Congress, relative to Indian reservations :	
received and referred.....	1015
reported and referred to committee of whole.....	1031-2
reported and ordered to third reading.....	1298-9
passed.....	1412
6. For the publication of the laws relating to the elective fran- chise :	
received and referred.....	1054
reported and referred to committee of whole.....	1273-4
reported and ordered to third reading.....	1858
lost.....	1878
7. For the payment of printing done by Harvey B. Rowison :	
received and referred.....	1089
reported and referred to committee of whole.....	1233
reported and ordered to third reading.....	1600
passed.....	1720

	Page
JOINT RESOLUTIONS—Senate :	
8. To pay over to the Grand Rapids and Indiana railroad company certain moneys collected by the agent of the State Land Office from trespassers upon the lands of said company :	
received and referred	1120
reported and referred to committee of whole	1225-6
reported and ordered to third reading	1601
passed	1727
9. Relative to the distribution of the laws, journals, documents, and joint documents of the session of the Legislature for the year 1871 :	
received and referred	1121-2
reported and referred to committee of whole	1233
reported and ordered to third reading	1600
passed	1726
10. Authorizing the sale of certain lands belonging to the Michigan State Prison, in the county of Jackson :	
received and referred	1251
reported and referred to committee of whole	1449
committee of whole discharged from and passed	2042-3
11. Asking Congress to provide a national system of free public schools for the destitute portions of the United States :	
received and referred	1337
reported and referred to committee of whole	1489
reported and ordered to third reading	2217
lost	2236
12. Proposing an amendment to the constitution of the State of Michigan, by adding a new section to article 19-a, "Of railroads," to stand as section 3 of said article :	
received and referred	1746
reported and referred to committee of whole	1931
reported and ordered to third reading	2222
recommitted	2355-7
reported and lost	2362
reconsidered and referred	2363-4
reported and tabled	2387
taken from table and passed	2401-3
13. Proposing an amendment to section seven, article six, and section one, article nine, of the constitution of the State, relative to the number and limits of judicial circuits, and the salaries of the judges of the circuit courts :	
received and referred	1746-7
reported and referred to committee of whole	2316
reported and ordered to third reading	2425
passed	2487-9
returned and amendments insisted on	2505
returned and committee of conference appointed on	2532-3
report of committee of conference concurred in	2531-3
14. To authorize the Board of State Auditors to audit and allow the account of L. M. S. Smith, for printing, for the use of the Supreme Court, the pleadings and testimony in the case of the State of Michigan, <i>ex rel.</i> Frank H. White, <i>vs.</i> Hermanus Doesburg :	
received and referred	1949
reported and referred to committee of whole	2151
reported and ordered to third reading	2405
passed	2444

INDEX.

2601

PAGE.

JOINT RESOLUTIONS—Senate :

15. For the payment of printing done by James O'Donnell :	
received and referred.....	2861
reported and referred to committee of whole.....	2899
committee of whole discharged from, and ordered to third reading.....	2522
passed.....	2528

JOINT RESOLUTIONS—House :

1. Proposing an amendment to section 1, article 11, of the constitution of this State, relative to changing the time of holding the annual township meeting :	
introduced by Mr. Cherry and referred.....	73
reported and tabled.....	163
taken from table and referred to committee of whole.....	1124
reported and ordered to third reading.....	1579
lost.....	1716
2. Asking the Congress of the United States to make an appropriation for the completion of the harbor at the mouth of Ontonagon river :	
introduced by Mr. Harris and referred.....	74
reported and referred to committee of whole.....	189
reported and ordered to third reading.....	286
passed.....	251
returned from Senate.....	390
reported enrolled.....	398
notice of approval.....	429
3. To modify and confirm the action of the railroad board of control in relation to the forfeited lands of the Marquette and Ontonagon railroad company, and to confer said lands on the Houghton and Ontonagon railroad company :	
introduced by Mr. Holland and referred.....	74
reported and referred to committee of whole.....	107
reported and ordered to third reading.....	128-9
passed.....	137
returned from Senate.....	214
reported enrolled.....	257
notice of approval.....	298
4. Requesting and urging our Senators and Representatives in Congress to ask an appropriation from Congress to repair and improve the harbor and ship canal at Monroe, in the county of Monroe, State of Michigan :	
introduced by Mr. Grosvenor and referred.....	78-9
reported and referred to committee of whole.....	84-5
reported and ordered to third reading.....	128-9
passed.....	133-4
returned from Senate.....	191
reported enrolled.....	213
notice of approval.....	298
5. Authorizing the Commissioner of the State Land Office to issue a certificate of sale of certain primary school land to Lyman Heath, of St. Clair county, Michigan :	
introduced by Mr. Hazen and referred.....	149
reported and referred to committee of whole.....	308
reported and ordered to third reading.....	397
passed.....	421
returned from Senate.....	1011
reported enrolled.....	1040
notice of approval.....	1146

	Page
JOINT RESOLUTIONS—Senate:	
6. Asking the Congress of the United States to make an appropriation for the completion of the breakwater at Marquette, on Lake Superior:	
introduced by Mr. Swineford and referred.....	16
reported and referred to committee of whole.....	180-1
reported and ordered to third reading.....	223-6
recommitted.....	248
reported and passed.....	269-70
returned from Senate.....	390
reported enrolled.....	398
notice of approval.....	429
7. Authorizing the Governor to sell all ordnance and ordnance stores belonging to the State, for the best price he can obtain,—the moneys so received to be placed to the credit of the military fund:	
reported by committee on military affairs and ordered to third reading.....	184-5
passed.....	200
returned from Senate amended.....	272-3
reported enrolled.....	347
notice of approval.....	400
8. Authorizing the administrator of the estate of David Duncan, deceased, to sell the same and to appropriate the proceeds, after paying the debts of the estate, to erect a monument to be placed at his grave:	
introduced by Mr. Brockway and referred.....	197
committee discharged from, and referred to committee of whole.....	517
reported and ordered to third reading.....	621
lost.....	651
9. Making an appropriation of three hundred and thirty-nine dollars and fifty cents for parchment for the Roll of Honor, and for ruling and binding the same, in accordance with the joint resolution approved April 8, 1869:	
introduced by Mr. C. B. Grant, and referred.....	198
reported and referred to committee of whole.....	241
committee of whole discharged from and passed.....	253-4
returned from Senate.....	320
reported enrolled.....	380
notice of approval.....	400
10. Instructing the Board of State Auditors to make a settlement with William P. Rathbone:	
reported by committee on State affairs and referred to committee of whole.....	245
reported and ordered to third reading.....	397
passed.....	416-17
returned from Senate.....	783
reported enrolled.....	809
notice of approval.....	962
11. Asking Congress for an appropriation to aid in deepening and completing the channel between the waters of Lake Superior and the harbor of Eagle Harbor, in the State of Michigan:	
introduced by Mr. S. W. Hill and referred.....	278
reported and referred to committee of whole.....	301
reported and ordered to third reading.....	397
passed.....	418-19
returned from Senate.....	551
reported enrolled.....	561
notice of approval.....	622

INDEX.

2603

	PAGE.
JOINT RESOLUTIONS—Senate:	
12. Making additional appropriations for the Geological Survey for the years 1871 and 1872, and for publishing the results of the present and future surveys:	
reported by the committee on geological survey and referred to committee of whole.....	306
committee of whole discharged from and referred to committee on ways and means.....	619
reported and tabled.....	1450-3
taken from table and re-referred.....	1573-4
reported and lost.....	2314-15
13. Asking the Congress of the United States for a grant of lands to aid in the construction of a railroad from the Straits of Mackinac, <i>via</i> Marquette and the head of Keweenaw Bay, to the Montreal river:	
introduced by Mr. Swineford and referred.....	356
reported and tabled.....	384
taken from table and referred to committee of whole.....	516
reported and ordered to third reading.....	621
passed.....	650
returned from Senate.....	847
reported enrolled.....	900
notice of approval.....	962-3
14. Instructing the State Geological Board to furnish information as to the suitability of stone within our State for the construction of a State House:	
introduced by Mr. Grosvenor and referred.....	393
reported and passed.....	398-9
returned from Senate.....	692
reported enrolled.....	800
notice of approval.....	962
15. Instructing the Board of State Auditors to issue swamp land certificates in lieu of certain internal improvement land warrants:	
introduced by Mr. Holt and referred.....	341
reported and referred to committee of whole.....	1744-5
reported and ordered to third reading.....	2140
lost.....	2181
reconsidered and tabled.....	2182
16. To refund certain moneys heretofore expended by the State Agricultural Society for the benefit of the State Normal School:	
introduced by Mr. Grosvenor and referred.....	497
reported and referred to committee of whole.....	591
reported and ordered to third reading.....	944
passed.....	986
returned from Senate.....	1256
reported enrolled.....	1407
notice of approval.....	1562
17. Authorizing the Commissioner of the State Land Office to issue two certificates of primary school lands to Patrick Daily:	
introduced by Mr. Hart and referred.....	500
reported and referred to committee of whole.....	636
reported and ordered to third reading.....	994-5
passed.....	1005
returned from Senate.....	1648
reported enrolled.....	1712
notice of approval.....	2039

	PAGE.
JOINT RESOLUTIONS—Senate:	
18. Providing for the distribution of the highway laws to certain county and township officers:	
introduced by Mr. Gillam and referred.....	501
reported and referred to committee of whole.....	744
reported and ordered to third reading.....	1031-2
passed.....	1001
returned from Senate.....	1395
reported enrolled.....	1493
notice of approval.....	1562
19. Providing for letting to the lowest bidder, contracts to supply the State Prison and State Reform School with goods manufactured in this State, composed of wool, or partly of wool and partly of cotton:	
introduced by Mr. Millington and referred.....	536
reported and referred to committee of whole.....	566-7
reported and ordered to third reading.....	907
passed.....	963
returned from Senate.....	1646
reported enrolled.....	1712
notice of approval.....	2039
20. For the relief of Hiram Ransom, in relation to a certain parcel of public lands:	
introduced by Mr. Adams and referred.....	537
reported and referred to committee of whole.....	588
reported and ordered to third reading.....	940-3
passed.....	973
returned from Senate and tabled.....	1233
21. To authorize the Governor to convey the northeast quarter of the northwest quarter of section number 16, in township number 1 north, of range number 4 west, to John G. Estell, assignee of primary school land certificate number 6151:	
introduced by Mr. Montgomery and referred.....	612
reported and referred to committee of whole.....	1303-4
reported and ordered to third reading.....	1863
passed.....	1906
returned from Senate.....	2330
reported enrolled.....	2553
notice of approval.....	2561
22. Asking Congress for an appropriation of money to construct a breakwater for a harbor of refuge at Mackinaw City, in the straits of Michilimackinac:	
introduced by Mr. Fenton and passed.....	700
returned from Senate.....	759
reported enrolled.....	809
notice of approval.....	962
23. Asking Congress for an appropriation for the construction of a light-house and fog-bells at the mouth of the Little Traverse Bay, in the State of Michigan:	
introduced by Mr. Fenton and passed.....	701
returned from Senate.....	759
reported enrolled.....	809
notice of approval.....	962
24. Requesting our Senators and Representatives in Congress to use their influence to secure the passage of a law providing for holding terms of court of the United States at some point on Saginaw river, and at Houghton:	
introduced by Mr. Bates, amended and passed.....	764-5
returned from Senate.....	879

	Page.
JOINT RESOLUTIONS—Senate:	
24. Requesting our Senators and Representatives in Congress to use their influence to secure the passage of a law providing for holding terms of court of the United States at some point on Saginaw river, and at Houghton :	
reported enrolled	900
notice of approval	919
25. Authorizing the Governor to issue testimonial certificates to honorably discharged Michigan soldiers and sailors :	
introduced by Mr. C. B. Grant and referred.....	768
26. Requiring the Board of State Auditors to make a settlement with each of the disbursing officers of the State at the close of each fiscal year :	
introduced by Mr. Holt and referred.....	792
27. Authorizing a temporary suspension of payment of State bounties :	
introduced by Mr. Holt and referred.....	792
reported and referred to committee of whole.....	1034
reported and ordered to third reading.....	1848
passed	1480
returned from Senate.....	2089
reported enrolled	2187
notice of approval.....	2376
28. For the relief of Richard Thorne :	
introduced by Mr. Holt and referred.....	729
reported and referred to committee of whole.....	1806
reported and ordered to third reading.....	1862
passed	1905
returned from Senate.....	2040
reported enrolled	2186
notice of approval.....	2498
29. Proposing an amendment to section 1, article 9, of the constitution of this State, relative to the salaries of the judges of the circuit courts :	
reported by committee on judiciary and referred.....	813
reported and ordered to third reading.....	1800
passed	1418-14
30. Authorizing the Auditor General to charge certain money or State tax now due Emmet county from the county of Charlevoix :	
introduced by Mr. Fenton and referred.....	817
reported and referred to committee of whole.....	1805
reported and ordered to third reading.....	1862
passed	2004
returned from Senate.....	2380
reported enrolled	2553
notice of approval.....	2561
31. In relation to the sale of the compiled laws :	
introduced by Mr. Millington and referred.....	817
reported and referred to committee of whole.....	1867-8
reported and ordered to third reading.....	1935
passed	1970
32. In reference to the printing and binding of the new compiled laws :	
introduced by Mr. Adam, and referred.....	832
reported and referred to committee of whole.....	1868
reported and ordered to third reading	1934
passed	1968

	Page.
JOINT RESOLUTIONS—Senate:	
33. Instructing the Auditor General to discharge certain mortgages:	
introduced by Mr. Post and referred.....	850
reported and referred to committee of whole.....	2238
reported and ordered to third reading.....	2425
passed.....	2456
returned from Senate.....	2494
reported enrolled.....	2550
notice of approval.....	2561
34. Requesting our members in Congress to use their influence in procuring the passage of an act permitting actual settlers, locating lands under the homestead laws, to make all necessary affidavits and proof of settlement of said lands, before the county clerk of the county in which said lands applied for are situated:	
introduced by Mr. Gray and referred.....	851
reported and passed.....	1097
returned from Senate.....	1397
reported enrolled.....	1498
notice of approval.....	1503
35. Urging upon our Senators and Representatives in Congress the importance of the annexation of Canada to the United States, upon terms not incompatible with national honor and dignity:	
introduced by Mr. Hazen and referred.....	853
reported and referred to committee of whole.....	1234-5
reported and ordered to third reading.....	1600
recommitted.....	1724
36. To provide for the delivery of the railroad bonds in the office of the State Treasurer:	
introduced by Mr. Edwards and referred.....	863
substitute reported for, and referred to committee of whole, 1448-9	
reported and ordered to third reading.....	2117
recommitted.....	2229
37. Relating to depositing and filing notes, memoranda, compilations, collections, specimens, diagrams, maps, and charts of geological surveys with the Secretary of State:	
introduced by Mr. Climie and referred.....	863
38. Submitting an amendment to the constitution, providing that penal fines may be used for either library or primary school fund, at the discretion of township boards:	
introduced by Mr. J. M. Osborn and referred.....	865
substitute reported for, adopted, and referred to committee of whole.....	1743
reported and ordered to third reading.....	2141
tabled.....	2183
taken from table and passed.....	2415-16
39. Asking Congress to throw open the lands of the United States military reservation on Bois Blanc Island in the Straits of Mackinaw to actual settlers or purchasers, under the laws of the United States regulating the sale of public lands:	
introduced by Mr. Fenton and referred.....	965
40. In relation to a harbor of refuge near Point Aux Barques:	
introduced by Mr. Hayward and referred.....	875
41. Asking the general government for an appropriation in money for the construction of breakwater and harbors of refuge between St. Clair river and Point Aux Barques:	
introduced by Mr. Thayer, and referred.....	877

INDEX.

2607

	PAGE.
JOINT RESOLUTIONS—Senate:	
42. To authorize that payment be made to Martin Haven, for live stock lost from the Agricultural College farm while being pastured there: introduced by Mr. Brockway, and referred.....	890
43. Requesting and urging our Senators and Representatives in Congress to ask from Congress a grant of the United States arsenal and grounds, at Dearborn, in the county of Wayne, and the State of Michigan, for State arsenal and military purposes: introduced by Mr. Grovenor, and referred..... committee discharged from and passed..... returned from Senate..... reported enrolled..... notice of approval.....	890 896 1011 1040 1146
44. Submitting an amendment to the constitution, providing for female suffrage: introduced by Mr. J. M. Osborn, and referred.....	882
JONES, NELSON B., House called to order by..... election of, as chief Clerk.....	3 9
JOURNAL, DAILY, Clerk directed to procure 1,000 copies of..... State printer directed to transmit to judges, etc..... State printer directed to transmit to clergymen.....	14 17 24
JUDGMENTS, to facilitate the collection of (H. B. 149).	
JUDGES OF CIRCUIT COURT, to amend constitution relative to salaries of (H. J. R. 29).	
JUDGES OF SUPREME COURT, invited to seats within bar of House..... report on resolution relative to increasing salaries of.....	18 54
JUDGES OF PROBATE, to establish the salaries of (H. B. 211).	
JUDICIARY COMMITTEE, authorized to appoint a clerk..... appointment of clerk by.....	37 189-40
JUDICIAL CIRCUIT, to create and form the seventeenth (H. B. 9). to reorganize eighth and create seventeenth (S. B. 128). to reorganize tenth and create eighteenth (S. B. 129). to detach Manitou from thirteenth, and attach to eleventh (S. B. 175). to detach Emmet from eleventh, and attach same to thirteenth (S. B. 183).	
JUDICIAL CIRCUITS, to re-district in State (H. B. 485). to amend constitution so as to number and limit (S. J. R. 18).	
JUNE, EDNA F., to change name of Edna F. Flowers to (H. B. 390).	
JURISDICTION, ceding, of this State over lands owned by United States (H. B. 311).	
JUSTICES OF THE PEACE, to amend act relative to courts held by (H. B. 36).	

K.

KALAMAZOO,	
to amend charter of (H. B. 220, 424).	
to grant further time to supervisor of township of, to perfect the assessment roll of (H. B. 483).	
KALKASKA,	
to organize the county of (H. B. 18).	
KASKA,	
to organize the township of (H. B. 62).	
KASSON,	
to legalize the tax-roll of township of (S. B. 4).	
KELLOGG, SHIVERICK, of Ionia,	
petitions presented by.....	64, 301, 405, 446, 479, 581
bills introduced by.....	414, 785
remonstrances presented by.....	664, 665
appointed on special committee.....	2547
KINDE, PETER M.,	
to repeal act authorizing, to build a dam across Grand River (H. B. 132).	
KNAPP, CORNELIUS, of Lenawee,	
resolution relative to prohibiting smoking, offered by.....	224
petition presented by.....	913
remonstrance presented by.....	912

L.

LABOR,	
to provide for the protection of (H. B. 406).	
LAINGSBURGH,	
to incorporate the village of (H. B. 365).	
LAKE,	
to organize the county of (H. B. 180).	
to organize certain townships in county of (H. B. 173, 322).	
LAMB, JOHN C., of Lapeer,	
petitions presented by.....	46, 77, 441, 625, 735
bills introduced by.....	90, 278, 498, 767, 793, 857-8, 871, 883
remonstrances presented by.....	583
memorial presented by.....	912
chairman of committee of the whole.....	1537
correction to daily journal suggested by.....	2462
LONDON, JOHN, of Jackson county,	
petitions presented by.....	140, 178, 301, 555, 835, 1113
remonstrances presented by.....	162, 556, 1028, 1072, 1113
chairman of committee of the whole.....	326
bills introduced by.....	501
death of, announced to House.....	1353
committee appointed to draft resolutions expressive of the sense of the House on death of.....	1353
resolutions reported by committee.....	1354-5
remarks of members on death of.....	1354-65
flag ordered draped in memory of.....	1365
chair of, ordered draped in mourning.....	1401
memorial page in memory of (fly-leaf at opening of Vol. 1).	
LANDLORDS AND TENANTS,	
to regulate powers, rights, obligations, and duties of (H. B. 549).	
to establish and define the rights of (H. B. 572.)	

INDEX.

2609

PAGE.

L'ANSE,	
to legalize tax-rolls of township of (H. B. 2).	
LANSING,	
relative to purchase by State of block 115 in (S. J. R. 3).	
to authorize First Presbyterian Church of, to sell their church property (S. B. 80).	
to confirm title to lot 1, block 96, in St. Paul's Church of (S. B. 92).	
to amend charter of (S. B. 104).	
LAPEER,	
to amend charter of (S. B. 78).	
relative to collecting ditch tax in the township of (H. B. 44).	
to repeal act to incorporate city of (H. B. 599).	
LAWRENCE, HENRY N.,	
election of, as Enrolling and Engrossing Clerk.....	11
LAWS,	
to collect, compile, and reprint (H. B. 80).	
for appointment of two commissioners to prepare, for compilation (H. B. 80).	
to provide for publication of, of 1871 (H. B. 357).	
LAWS, JOURNALS, AND DOCUMENTS,	
relative to the distribution of (S. J. R. 9).	
LEE,	
to provide for drainage of swamps in the township of (H. B. 189).	
to provide for laying out a State ditch in township of (H. B. 566).	
LEGISLATURE,	
to provide for payment of members and officers of (H. B. 50).	
to provide an additional sum for payment of members and officers of (H. B. 354).	
to apportion anew Representatives in (H. B. 375).	
to apportion anew Senators in (S. B. 176).	
to regulate reporters to (H. B. 542).	
LEIGHTON,	
to detach certain territory from school district No. 4 of, and add to No. 2 (H. B. 504).	
LENAWEE,	
to adjust and pay certain ditch taxes in county of (H. B. 519).	
LENOX AND CHESTERFIELD,	
to attach certain lands of, to fractional school district No. 7 (H. B. 560).	
LEONIDAS,	
to legalize tax-roll of township of (H. B. 6).	
LEONI,	
to authorize Michigan Collegiate Institute of, to sell certain real estate (H. B. 214).	
LETTERS OF ATTORNEY,	
to confirm the record of letters of (S. B. 14).	
LESLIE,	
to amend charter of (H. B. 503).	
LEWIS, SETH,	
appointment of, as postmaster of Legislature.....	12, 18
LIEUTENANT GOVERNOR,	
invited to administer oath of office to members.....	3
LIFE INSURANCE,	
to amend act relating to (H. B. 388, 499).	
LIME,	
to establish weight of (H. B. 185).	

- LINDEN,
to incorporate the village of (H. B. 79).
- LIQUORS,
to amend act relative to sale of (S. B. 150, H. B. 251, 462, 472).
- LITERARY AND SCIENTIFIC SOCIETIES,
to amend act authorizing formation of (S. B. 147).
- LITTLE TRAVERSE BAY,
asking Congress to construct light-house and fog-bells at mouth
of (H. J. R. 23).
- LITTLE, CHARLES D., of Saginaw,
petitions presented by.....40, 46, 444, 584, 834, 1736
bills introduced by.....220, 610, 645, 704, 823, 830, 869, 884
resolution to adjourn, offered by.....253
remonstrances presented by.....408, 1201, 1215, 1269, 1545
chairman of committee of the whole.....1340
resolution to limit time of speaking, offered by.....1486
appointed on special committee.....2225, 2547
resolution to allow extra compensation to Assistant Clerks,
offered by.....2548
- LOGS,
to amend act relative to running, booming, and rafting of
(H. B. 87, 473, 555).
- LOGS, MASTS, AND SPARS,
to provide for punishing unlawful taking of (S. B. 42).
- LOVELL,
to change the name of township of (H. B. 391).
- LOWELL,
to incorporate the city of (H. B. 570).
- LOWER PENINSULA,
to construct certain State roads in northern portions of (H. B.
605).
to secure to State road fund proceeds of sales of swamp lands
in (H. B. 606).
- LOWER SAGINAW,
to change name of First Presbyterian Society of (S. B. 19).
- LUDINGTON,
to incorporate the village of (H. B. 80).
- LUMBER,
to provide for the uniform inspection of (S. B. 146).
- LYONS,
to amend the charter of (H. B. 417).

M.

- MACKINAW CITY,
asking Congress to construct a breakwater for a harbor of
refuge at (H. J. R. 22).
- MAGNETIC MINERAL SPRING COMPANY,
to incorporate, of Spring Lake (H. B. 7).
- MANCERLONA,
to organize township of (H. B. 8).
- MANCHESTER,
to amend charter of (H. B. 77).
- MANDAMUS CASES,
to provide for judgment and costs in (H. B. 378).
- MANISTEE,
to amend charter of (S. B. 59).
to authorize city of, to issue bonds to purchase a fire-engine
(S. B. 62).

MANISTIQUE,	
to organize the township of (H. B. 200).	
MANITOU,	
to authorize county of, to issue bonds to build county buildings (S. B. 164).	
to detach county of, from thirteenth and attach to eleventh judicial circuit (S. B. 175).	
MANNING, EMMA,	
to change name of (H. B. 287).	
MANUAL,	
Clerk instructed to furnish members with last regular.....	12
printing of, authorized.....	33
compiler of, appointed.....	34
copies of, ordered for State Library.....	111
MANUFACTURING CAPITAL,	
to exempt certain, from taxation (H. B. 563).	
MANUFACTURING COMPANIES,	
to confer certain powers on (S. B. 86).	
MARRIED WOMEN,	
relative to the right of dower of (H. B. 304).	
MARINE CITY WORKMAN'S AID SOCIETY,	
to incorporate (H. B. 16).	
MARQUETTE,	
to incorporate the city of (H. B. 101).	
to create school district No. 1 of (H. B. 208).	
to provide for first annual township meeting of (H. B. 338).	
asking Congress to complete breakwater at (H. J. R. 6).	
MARQUETTE AND ONTONAGON RAILROAD COMPANY,	
in relation to action of board of control on forfeited lands of, and to refer same (H. J. R. 3).	
MARSHALL,	
to amend charter of (H. B. 503).	
MASON,	
to amend charter of (S. B. 130).	
MCGONEGAL,	
resolution relative to introducing trades into State Reform School, offered by.....	325-6
petitions presented by.....446, 521, 798, 886, 913, 924-5, 1110, 1272, 1881, 1981.	
bills introduced by.....	498, 645, 769, 882
resolution tendering use of Hall to Moses W. Field, offered by, 517	
resolution granting use of Hall to Giles B. Stebbins, offered by, 939-40	
remonstrance presented by.....	1272
appointed on special committee.....	2461
McKEAN, JOSHUA L.,	
appointment of, as Assistant Sergeant-at-Arms.....	15
MECHANICS,	
to provide for the better security of (H. B. 103).	
MEDDAU, ERNEST,	
to change name of (S. B. 53).	
MEMORIALS, PRESENTED BY,	
Mr. Adam.....	40, 161
Andrews.....	267
Bates.....	300, 1846
Childs.....	204, 1365
Climie.....	1629
Cochrane.....	406, 799, 1608, 2024

	Page.
MEMORIALS, PRESENTED BY,	
Mr. Congdon	1073
Fenton	797
Ferris	123, 382
Ferry	406
Garrison	267
Gray	178, 300
R. J. Grant	738
Hack	739
Hart	103, 1346, 1439, 2385
H. Haynes	1540
J. Haynes	1936
Hazen	32, 299, 300
N. R. Hill	1345
Lamb	912
W. H. C. Mitchell	403
Moshier	103
Norris	582
C. Y. Osburn	162
Phillips	481
Riford	177
Roof	140
Roos	140, 1104
Swineford	406
Van Scoy	299
White	834
Williams	445
MESSAGE,	
delivery of, to joint convention	20
reference of	27, 30
relative to printing of, in foreign languages	27, 47, 62, 170
report of committee on reference of	54-6
MESSENGERS,	
appointment of, authorized	14
announcement of appointment of, by Speaker	16, 38, 140
announcement of appointment of, by Clerk	16
appointment of additional, authorized	118
mileage allowed to	2522, 2548
METROPOLITAN POLICE,	
to confirm the powers, rights, and privileges of board of, in Detroit (H. B. 403).	
MICHIGAN COLLEGIATE INSTITUTE,	
to authorize trustees of, to sell certain real estate (H. B. 214).	
MICHIGAN REPORTS,	
to amend act in relation to (H. B. 31).	
MICHIGAN SOLDIERS AND SAILORS,	
authorizing Governor to issue testimonial certificates to (H. J. R. 25).	
MICHIGAN STATE PRISON,	
authorizing the sale of certain lands belonging to (S. J. R. 10).	
MIDLAND,	
to provide for the construction of certain ditches in (H. B. 334).	
to amend charter of village of (H. B. 470).	
MILEAGE,	
resolution directing committee of ways and means to report amount of, due members and officers	50
report of committee of ways and means showing amount of, due members and officers	376-9
report of committee of ways and means showing amount of, due messengers	2548

MILFORD,	
to amend charter of village of (H. B. 400).	
MILITARY FORCES,	
report of committee on bill to amend act for reorganization of, 447-9	
to amend act for reorganization of (H. B. 91, S. B. 212).	
MILITARY OFFICERS,	
to provide for payment of salaries of (S. B. 99).	
MILITARY ROAD,	
to amend act accepting grant of lands to aid in construction of	
(H. B. 48).	
MILK,	
to prevent the adulteration of (H. B. 537).	
MILLER, ELI R., of Kalamazoo,	
petitions presented by.....	40, 795, 834, 1072
bill introduced by.....	820
resolution granting use of Hall to Mrs. Dr. Wheaton, offered	
by.....	945
remonstrance presented by.....	1072
chairman of committee of the whole.....	1105
resolution to print 1,000 extra journals, offered by.....	1393
resolution relative to capital punishment, and memorials, offered	
by.....	2538
MILER, NORTON L., of Macomb,	
appointed on special committee.....	3, 84
petitions presented by.....	410, 478-9, 479, 555, 583, 885
bills introduced by.....	538, 872
remonstrance presented by.....	887
remarks of, on death of Hon. Jacob M. Howard.....	2066-7
MILLER, RICHARD C., of Montcalm,	
petitions presented by.....	300, 337, 479, 603, 665, 1112
bills introduced by.....	323, 768
appointed on special committee.....	370
remonstrances presented by.....	665, 739, 797, 947, 1112
MILLER, LEWIS M.,	
appointment of, as Assistant Engrossing and Enrolling Clerk..	288
MILLINGTON, CHARLES R., of St. Joseph,	
appointed on special committee.....	19, 30, 1568, 2074
petitions presented by...33, 405, 439, 519, 627, 998, 1187, 1139, 1439	
resolution for an additional messenger boy, offered by.....	46
bills introduced by.....	66, 497, 608, 647, 785, 880
resolution for adjournment to visit State institutions, offered by	101
chairman of committee of the whole.....	156, 1859
resolution relative to finance report of J. B. Walker, treasurer	
Deaf, Dumb, and Blind Asylum, offered by...435, 545, 575, 653-4	
joint resolutions introduced by.....	536, 818
resolution for appointment of temporary assistant fireman,	
offered by.....	575
resolution to grant use of hall to N. W. Clark, offered by.....	905
remarks of, on death of Hon. John Landon.....	1358
resolution of censure of James B. Walker, offered by.....	1688
resolution for adjournment, offered by.....	1978
remarks of, on death of Hon. Jacob M. Howard.....	2060
resolution to print 1,000 extra copies of daily journal, offered	
by.....	2090
presentation of portrait of Charles Carroll, made by.....	2557-65
MILLINGTON,	
to authorize township of, to raise money to purchase a library	
(H. B. 530).	
school district No. 5 of township of, authorized to issue bonds	
to build a school-house (H. B. 246).	

	PAGE.
MINERAL SPRING CORPORATIONS, to exempt from payment of specific taxes (H. B. 524).	
MINING CORPORATIONS, petition from, to allow consolidation of.....	207--8
to authorize consolidation of (S. B. 3). —	
to cause act authorizing consolidation of, to take immediate effect (S. B. 67).	
MINING, SMELTING, AND REFINING ORES, to authorize corporations of other States to engage in (H. B. 538)	
to amend act imposing a specific tax upon corporations engaged in (H. B. 611.)	
MINING AND MANUFACTURING COMPANIES, to authorize the dissolution of (S. B. 182).	
MINK, to prevent the destruction of (H. B. 181.)	
MINK AND MUSKRATS, to prevent the destruction of (S. B. 122).	
MINNE, JOSEPH T. S., of St. Clair, petitions presented by.....	33, 442
bills introduced by.....	60, 321, 647
remonstrance presented by.....	338
appointed on special committee.....	2461
MITCHELL, PRESTON, of Calhoun, resolution offered by, to appoint Seth Lewis postmaster.....	12
appointed on special committee.....	84
petitions presented by.....	442, 478
bill introduced by.....	861
MITCHELL, WILLIAM H. C., of Grand Traverse, petitions presented by, 32, 39, 40, 64, 122, 123, 141, 163, 259, 337, 404, 580, 736, 777, 778, 779, 826, 886, 899, 911, 997, 1139, 1200, 1204, 1205.	
resolution authorizing judiciary committee to appoint a clerk, offered by.....	37
bills introduced by, 45, 49, 61, 62, 168, 197, 276, 321, 355, 457, 703, 784, 857, 874, 875.	
appointed on special committee.....	84
remonstrances presented by.....	404, 737, 1030, 1205, 1937
memorial presented by.....	403
MISSAUKEE, to organize the county of (H. B. 142).	
MONROE, to revise charter of (H. B. 319).	
to authorize city of, to borrow money for bridge purposes (H. B. 151).	
to amend charter of (H. B. 599).	
asking an appropriation from Congress to repair harbor at (H. J. R. 4).*	
MONTGOMERY, MARTIN V., of Eaton, petitions presented by.....	206, 481, 626, 777, 1073, 1271, 1439
bills introduced by.....	221, 322, 501, 704, 820, 823, 831, 856, 857, 873
joint resolution introduced by.....	612
remonstrances presented by.....	827, 1540
resolution relative to daily sessions, offered by.....	1017
resolution granting use of hall to woman suffragists, offered by, 1023	
chairman of committee of the whole.....	1123, 1806
appointed on special committee.....	1568
remarks of, on death of Hon. Jacob M. Howard.....	2069
resolution on sense of House on appointment of Hon. W. R. Bates, offered by.....	2431
resolution of thanks to Speaker <i>pro tem.</i> , offered by.....	2538

INDEX.

2615

	PAGE.
MOORE, F. T., appointment of, as keeper of cloak-room.....	39
MORTGAGES, instructing Auditor General to discharge certain (H. J. R. 33). to provide for more speedy foreclosure of (H. B. 344).	
MOSHIER, JAMES B., of Genesee, bills introduced by.....	197, 767, 884
petitions presented by.....	206, 522, 584, 924, 1029, 1073
memorial presented by.....	103
MUIR, to incorporate village of (H. B. 247).	
MUSKEGON, to amend charter of (H. B. 352, 360). for assessment of taxes in third ward of (H. B. 360).	
MUZZY AND LYNN, to provide for laying out a State road in townships of (H. B. 194).	
N.	
NARROW-GAUGE RAILWAYS, to authorize organization of companies for construction of (S. B. 36).	
NASHVILLE, to amend charter of village of (H. B. 89).	
NATIONAL IMMIGRATION CONVENTION, proceedings and resolutions of.....	108-10
NEGAUNEE, to incorporate the village of (H. B. 544).	
NEWARK AND ARCADIA, to provide for laying out a ditch or drain in (H. B. 435).	
NEW BALTIMORE, to amend charter of (H. B. 558). to legalize tax-rolls of (S. B. 202).	
NEWSPAPERS, to provide for paying publishers of, for publishing general laws (S. B. 1). to protect Legislatures against impositions of (H. B. 542).	
NILES, to amend charter of (H. B. 428).	
NISI PRIS REPORTS, to authorize board of supervisors to provide for purchase of (H. B. 299).	
NORMAL SCHOOL, report of committee on education relative to.....	592-3
to amend act granting diplomas to graduates of (H. B. 1). making appropriations for (H. B. 46). to establish an additional (H. B. 175).	
NORRIS, JASON B., of Hillsdale, petitions presented by.....	382, 444, 555, 1138
remonstrances presented by.....	625, 1137, 1489
memorial presented by.....	582
appointed on special committee.....	2547
NORTON, to detach certain territory from the township of (H. B. 392).	
NOVI, to extend time for collection of certain ditch taxes in township of (H. B. 61).	

O.

- OAKLAND COUNTY AGRICULTURAL SOCIETY,
to authorize, to issue bonds, and mortgage its real and personal
estate (H. B. 122).
- OAKLAND,
to amend act for the payment of certain drainage orders in
county of (H. B. 32).
to exempt county of, from provisions of county drain law (H.
B. 590).
to exempt county of, from provisions of act providing for
county superintendent of schools (H. B. 600).
- O'DONNELL, JAMES,
for the payment of printing done by (S. J. R. 15).
- OFFENSES AGAINST PROPERTY,
to amend laws relative to (H. B. 17, 192).
- OFFICER,
to provide for punishing any, for receiving more than legal fees
(H. B. 182).
- ONOTA,
to organize the township of (H. B. 201).
- ONTONAGON RIVER,
asking Congress for the completion of the harbor at the mouth
of (H. J. R. 2).
- ORDNANCE,
report of Quartermaster of amount of owned by State.....145-6
authorizing Governor to sell (H. J. R. 7)
- ORPHAN ASYLUM,
to provide for the erection and maintenance of (H. B. 571)
- OSBORN, JAMES M., of Hillsdale,
appointed on special committee.....18, 2461
bills introduced by.....61, 132, 818, 819, 832, 864, 865, 882
petitions presented by.....410, 625, 796
joint resolution introduced by.....882
chairman of committee of the whole.....1651
resolution to pay extra compensation to firemen, offered by....2391
- OSBURN, CHARLES Y., of Shiawassee,
resolution relative to adjournment, offered by.....26
bills introduced by.....170, 822, 536, 792, 794
memorial presented by.....162
petitions presented by.....266, 519, 520, 556, 776, 777, 778
remonstrances presented by.....776, 911, 912
chairman of committee of the whole.....1101, 1102-3
- OSSINEKE,
to legalize tax-roll of township of (H. B. 105).
to organize union school district of township of (H. B. 108).
- OTTAWA,
to legalize acts of drain commissioners of the county of (H. B.
523).
- OTSEGO,
to incorporate the village of (S. B. 44).
- OVID,
to amend charter of village of (H. B. 477).
to legalize bounties of certain volunteers credited to (H. B. 553).
- OWOSSO,
to authorize city of, to raise money to construct a court-house
and jail (H. B. 72).
to incorporate union school district of city of (H. B. 373).

P.

PAGE.

PARDONS,	
Governor's message of, granted	227-34
PARMA, SANDSTONE, CONCORD, AND SPRING ARBOR,	
to detach certain territory from fractional school district No. 1 of (H. B. 228.)	
PATENT RIGHTS,	
to regulate notes or other obligations given for (H. B. 307.)	
to protect the people from swindlers in (H. B. 541).	
PATTENGELL, ORLANDO R., of Wayne,	
appointed on special committee	19
petitions presented by 240, 300, 446, 557, 585, 625, 627, 796, 798, 947, 1205.	
bills introduced by	609, 646, 820, 868, 882
remonstrances presented by	887, 2148
resolution offered by, requesting Attorney General to give his opinion as to power of Legislature to repeal plank road char- ters	1525
resolution directing Clerk to forward journals	2441
PEACH BASKETS,	
to regulate the size of (H. B. 598).	
PEARL, PERRY D., of Wayne,	
petitions presented by	162, 554, 1587, 1630
bills introduced by	864, 867
PENAL, PAUPER, AND REFORMATORY INSTITUTIONS,	
to provide for a board of commissioners for general supervision of (S. B. 193).	
PERISHABLE PROPERTY,	
to provide for the sale of (H. B. 253).	
PERSONAL PROPERTY,	
to provide for sale of, found upon any of the waters within this State (H. B. 576).	
PETITIONS, PRESENTED BY,	
Mr. Adam	204, 477, 795, 913, 1215
Adams	267, 444, 735, 739, 796, 797, 798, 911, 1028
Adsit	141, 625, 626, 925
Andrews	50, 886, 887
Atwood	299
Barnaby	177, 440, 480, 519, 735, 1200, 2148
Bates	204, 440, 476, 663, 667, 826
Brockway	204, 267, 441, 442, 477, 479, 520, 521, 1735
Brown	406
Cameron	445, 480, 481, 796, 834, 913
Chamberlain	410
Cherry	519, 1846
Childs	162, 520, 557
Clement	267, 837
Climie	409, 626, 886, 1302
Cochrane, 178, 240, 268, 408, 481, 666, 779-80, 835, 898, 1073, 2237.	
Copley	41, 123, 666, 738
Coulter	103, 141, 163, 411, 521, 556, 738, 796, 827, 1212
Crane	240, 1138
Crofoot	477, 521-2, 581, 1072
Dalton	735, 1540
Doty	337, 556, 580, 898, 899, 997

PETITIONS, PRESENTED BY,		PAGE
Mr. Edwards.....	161, 409, 797, 798	
Fenton.....	162, 408, 778, 1344	
Ferris.....	911, 925	
Ferry.....	406, 445, 522, 586, 1272	
Frost.....	51, 67, 625	
Garfield.....	446, 1112-13	
Garrison, 161, 204, 443, 479, 520, 555, 580, 626, 664, 899, 998, 1029.		
Gibson.....	581, 582, 583, 996, 1031, 1881	
Gillam.....	444, 797, 798	
C. B. Grant.....	268, 555, 583, 625, 626, 735, 736, 1072	
R. J. Grant.....	141, 206, 409, 581, 625, 888-9, 912-13, 948-9, 1028, 1200, 1271, 1936-7.	
Gorman.....	238, 740	
Gray.....	205, 300, 478, 581, 584, 627, 777, 779	
Green.....	581	
Greusel.....	443, 519, 584, 777, 1028, 1399	
Grosvenor.....	84, 103, 122, 162, 178, 205, 381-2, 407, 478, 664, 898, 1071.	
Haack.....	40, 477, 898, 1270	
Harris.....	240	
Hart.....	585, 911	
H. Haynes.....	40, 67, 338, 626, 1138, 1212, 1345, 1488, 1881, 2076	
J. Haynes.....	205, 443, 520, 557, 776, 834, 835-6, 887, 912, 1204, 1271, 1982, 2120.	
Haywood.....	446, 480, 948, 1272, 1981	
Hazen.....	410, 444, 481, 555, 737, 1204-5	
N. R. Hill.....	51, 407, 476, 521, 628, 737-8, 835, 899, 948, 1139, 1212, 1345.	
S. W. Hill.....	239, 269, 383, 400	
Holland.....	206, 239-40, 268, 1346	
Holt.....	40, 123, 142, 163, 522, 738, 778, 779, 949, 997, 1031, 1263-4	
Houseman.....	268, 408, 477, 627, 664, 796, 2024	
Hoyt.....	51, 140, 240, 383, 410, 477, 1030, 1270, 1936	
Huff.....	445, 581, 582, 625, 833	
Hughes.....	477, 523, 581, 664, 1112, 1138, 1365, 2075	
Hurlbut.....	440, 665, 778, 911, 1200, 1204	
Huston.....	41, 163, 206, 263, 383, 410, 445, 446, 557, 925, 1203	
Kellogg.....	64, 301, 405, 446, 479, 581	
Knapp.....	912	
Lamb.....	46, 77, 441, 625, 735	
Landon.....	140, 178, 801, 555, 835, 1113	
Little.....	40, 46, 444, 584, 834, 1736	
McGonegal.....	446, 521, 798, 886, 913, 924-5, 1110, 1272, 1881, 1936, 1981.	
E. R. Miller.....	40, 795, 834, 1072	
N. L. Miller.....	410, 478-9, 479, 555, 583, 885	
R. C. Miller.....	300, 337, 479, 663, 665, 1112	
Millington.....	33, 405, 439, 519, 627, 998, 1137, 1139, 1439	
Minne.....	33, 442	
P. Mitchell.....	442, 478	
W. H. C. Mitchell.....	32, 39, 40, 64, 122, 123, 141, 163, 259, 337, 404, 580, 736, 777, 778, 779, 826, 886, 899, 911, 997, 1139, 1200, 1204, 1205, 1270.	
Montgomery.....	206, 481, 626, 777, 1073, 1271, 1439	
Moshier.....	206, 522, 584, 924, 1029, 1073	

INDEX.

2619

	PAGE.
PETITIONS, PRESENTED BY,	
Mr. Norris.....	382, 444, 555, 1138
C. Y. Osburn.....	266, 519, 520, 556, 776, 777, 778
J. M. Osborn.....	410, 625, 796
Pearl.....	162, 554, 1587, 1630
Pattengell, 240, 300, 446, 557, 585, 625, 627, 796, 798, 947, 1205.	
Phillips.....	407
Pierson.....	556, 1113
Post, 178, 299, 406, 409, 522-3, 554, 626, 663, 947, 1849, 1350, 2047.	
Priest.....	410, 444, 519, 555, 582, 798, 885
Riford.....	259, 580, 627, 886, 1736, 2196
Rood.....	40, 407, 557, 736, 833, 946, 947, 997, 1137, 1204
Roof.....	64, 445, 447, 557, 778, 779, 796, 925
Roost.....	178, 208, 1137
Ross.....	738
Smith.....	141, 300
Sumner.....	408, 1302
Swineford.....	140, 178, 239, 338, 736, 833, 1138, 1212
Thayer.....	141, 161, 407, 442, 446, 581, 627, 1489, 1540, 1786
Tobey.....	407, 443, 777, 1272
Van Scoy, 142, 267, 299, 443, 444, 479, 554, 735, 736, 787, 834, 1031, 1112.	
Walton.....	39, 204, 409, 411, 663
Watkins.....	405, 439, 583, 628, 795, 1031
Webster.....	519
Wells.....	405, 480, 1113
White.....	122, 798, 1438
Williams.....	238, 338, 663, 795
Woodmam.....	949, 1189
PEWAMO,	
to incorporate the village of (H. B. 521).	
PHILLIPS, JOHN I., of Genesee,	
bills introduced by.....	198, 219, 573
petitions presented by.....	407
memorial presented by.....	481
remonstrance presented by.....	887
PIERSON, BENJAMIN, of Wayne,	
appointed on special committee.....	173
petition presented by.....	556, 1113
bills introduced by.....	705
PIONEER,	
to organize the township of (H. B. 5).	
PLAINWELL,	
to legalize first charter election of village of (H. B. 78, 174).	
PLANK ROAD COMPANIES,	
opinion of Attorney General relative to power of Legislature to repeal charters of.....	1641-3
to confer upon commissioners of highways certain powers in relation to (H. B. 218).	
PLYMOUTH,	
to divide township of, into two election districts (H. B. 259).	
POINT AUX BARQUES,	
in relation to a harbor of refuge near (H. J. R. 40).	
POINT OF ORDER,	
on operation of previous question on motion to reconsider.....	541

POISONS,	
to regulate sale of, and the practice of pharmacy (H. B. 386).	
POKAGON, SILVERCREEK, WAYNE, AND LAGRANGE,	
to authorize justices of the peace of townships of, to hold courts in Dowagiac (S. B. 7).	
POMOLOGY, HORTICULTURE, ETC.,	
to provide for incorporation of societies to promote (S. B. 106).	
POND, FRANCIS,	
for the relief of (H. B. 433.)	
PONTIAC,	
to amend the charter of (H. B. 144).	
POOR PERSONS,	
to amend laws relating to (S. B. 109).	
PORT AUSTIN,	
to legalize organization of graded school district No. 1, of (S. B. 80.)	
PORT HURON,	
to amend charter of (H. B. 230, S. B. 81).	
PORTLAND,	
to amend charter of (H. B. 248).	
PORTSMOUTH TOWN LINE PLANK ROAD,	
to provide for superintendence and care of (S. B. 76).	
PORTSMOUTH,	
to amend the charter of (S. B. 89).	
POST, SAMUEL, of Washtenaw,	
bill introduced by.....	74, 89, 767, 818
petitions presented by.....	178, 299, 406, 409, 522-3, 554, 626, 663,
947, 1849, 1850, 2047.	
remonstrances presented by.....	554, 1215
joint resolution introduced by.....	850
resolution to place flag at half-mast in memory of Hon. Jacob M. Howard, offered by.....	2052
appointed on special committee.....	2074
PRESQUE ISLE,	
to organize the county of (S. B. 174).	
PREVIOUS QUESTION,	
decision of speaker on motion to reconsider, under operation of,	541
resolution relative to operation of, on motion to reconsider....	576
report of committee on rules relative to operation of, on motion to reconsider.....	705-7
PRIEST, DELIVERANCE S., of Macomb,	
petitions presented by.....	410, 444, 519, 555, 582, 798, 885
PRISON, INTERMEDIATE,	
to provide for building (H. B. 559).	
PRIVILEGE,	
question of, exercised by Mr. Hurlbut.....	727-34
PROBATE, JUDGES OF,	
to establish the salaries of (H. B. 211).	
PROBATE COURTS,	
to amend laws relative to taking depositions to be used in (H. B. 85).	
PROOF OF DEMANDS IN SUIT,	
to amend act relative to, (S. B. 160).	
PUBLIC WORKS,	
to provide a board of, in Detroit (H. B. 318).	
PUPILS,	
to provide against service of process on, attending school (H. B. 609).	

Q.

QUARTERMASTER GENERAL, communication from, of amount of ordnance stores owned by State.....	145-5
William A. Throop nominated to the office of.....	2256-7
to authorize, to collect evidence of certain claims of pay of sol- diers enlisted in 1861 and 1862 (H. B. 430).	

R.

RAILROADS, to amend constitution by adding a new section to article 19-a, of (S. J. R. 12). to amend general act to provide for incorporation of (S. B. 2. H. B. 232, 587, 589, 604). to amend act to define certain offenses affecting (S. B. 107). to provide for better protection of life on (S. B. 111). to regulate transportation of freight and passengers over, not incorporated under general law (S. B. 149). to prohibit, from being engaged in draying (S. B. 159). to amend certain sections to general law for incorporation of (S. B. 169). to revise laws providing for incorporation of (S. B. 180). to require, to keep open ticket offices thirty minutes before starting trains (S. B. 203). to regulate freights on (H. B. 280). to protect persons furnishing materials for construction of (H. B. 406).	
RAILROAD, asking Congress to aid, from Straits of Mackinaw to Montreal river (H. J. R. 13).	
RAILROAD BONDS, to provide for delivery of, in office of State Treasurer (H. J. R. 36.) to authorize State Treasurer to deliver, to townships depositing same (H. B. 419).	
RAILROAD-GRANT LANDS, opinion of Attorney General relative to power of State to tax.....	686-92
to provide for giving notice to county treasurers of lists of tax- able (H. B. 589, S. B. 135).	
RANSOM, HIRAM, for the relief of (H. J. R. 20).	
RATHBONE, WILLIAM P., instructing Board of State Auditors to make a settlement with (H. J. R. 10):	
REAL ESTATE, to define the rights of holders of (H. B. 268).	
RECORDS, to provide for keeping fuller, in county treasurer's office (H. B. 195).	
REFORM SCHOOL, making appropriations for (H. B. 457, S. B. 179). to provide for letting contracts to supply with woolen goods (H. J. R. 19).	
REGISTRATION OF ELECTORS, to amend act to provide for (H. B. 171, 463, 466).	

	PAGE.
REMONSTRANCES, PRESENTED BY,	
Mr. Adams.....	664, 738, 796, 799, 886
Adsit.....	624, 1694
Andrews.....	887
Atwood.....	1269, 1346
Barnaby.....	1269
Bates.....	826, 885, 1200-1
Brockway.....	299, 441
Brown.....	670
Cameron.....	887, 899
Chamberlain.....	885
Cherry.....	583, 624, 887-8, 946-7, 1030, 1205, 1345
Childs.....	477, 519, 554, 796, 799, 1269, 1540, 1629
Clement.....	739
Climie.....	1302, 1344
Cochrane.....	627, 1112, 1201, 1270, 1542, 1630, 1737, 1937
Copley.....	582
Crofoot.....	522, 582, 835, 1072
Dalton.....	1214-15
Doty.....	405, 406, 898, 997, 1810
Fenton.....	1113, 1138, 1350, 2143
Ferry.....	582, 666, 899, 948, 1029-30, 1110, 1272
Frost.....	736-7
Garfield.....	625, 778, 797, 834, 886, 913, 1212, 1271, 1345
Garrison.....	665, 997
Gibson.....	834, 1270, 1345, 1736-7
Gillam.....	793
C. B. Grant.....	624, 1270
R. J. Grant.....	665, 738, 913, 1272, 1936
Gorman.....	996, 1110
Gray.....	582, 739, 900, 1073
Green.....	583
Greusel.....	382, 406, 1212-13, 1269, 1270, 2046
Grosvenor.....	665, 1072, 1587
Haack.....	580, 2143
Hart.....	624, 1129, 1346
H. Haynes.....	1345
J. Haynes.....	624, 779, 835, 1345, 1810, 1846, 1982, 2076
Haywood.....	1272, 1982
Hazen.....	481
Holt.....	582, 947, 1071, 1269, 1541, 2024
Houseman.....	1073, 1587, 1735
Hoyt.....	1196-1200, 1269, 1270
Huff.....	583
Hughes.....	406, 584, 779, 799, 1137, 1365, 2075
Hurlbut.....	441, 666, 913, 1205, 1270
Huston.....	1203, 1438, 1439
Kellogg.....	664, 665
Knapp.....	912
Lamb.....	583
Landon.....	162, 556, 1028, 1072, 1113
Little.....	408, 1201, 1215, 1269, 1545
McGonegal.....	1272
E. R. Miller.....	1072
N. L. Miller.....	887
R. C. Miller.....	665, 739, 797, 947, 1112
Minne.....	338

INDEX.

2623

PAGE.

REMONSTRANCES, PRESENTED BY,

Mr. W. H. C. Mitchell.....	404, 737, 1080, 1205, 1937
Montgomery.....	827, 1540
Norris.....	625, 1187, 1488
C. Y. Osburn.....	776, 911, 912
Pattengell.....	887, 2148
Phillips.....	887
Post.....	554, 1215
Riford.....	799, 1735, 1981
Roof.....	446, 1269
Roost.....	583, 624, 835
Ross.....	787, 913
Swineford.....	239, 406, 1137
Thayer.....	442, 443, 583, 624, 779, 911, 1073, 1540, 1735
Tobey.....	997, 1272
Watkins.....	1204
Wells.....	480, 1113, 1215
White.....	795, 1270

REPORTERS,

thanks of House tendered to.....	2546
to protect, from this and future Legislature (H. B. 480).	

REPRESENTATIVES,

to apportion anew, among the several counties (H. B. 375).	
------------------------------------------------------------	--

RESOLUTIONS,

adopting rules of last House.....	6
authorizing appointment of Assistant Sergeant-at-Arms.....	12
authorizing appointment of Assistant Clerks.....	12
instructing Clerk to furnish manual.....	12
to fix hour of daily sessions.....	13, 435, 905, 1017, 1317, 2132
for appointment of messenger boys.....	14
to procure 1,000 copies daily journal.....	14
relative to inviting Lansing clergymen to act as Chaplain.....	14
requesting members to furnish State Printer with names of newspapers.....	21
relative to stationery to members and officers.....	21
authorizing Clerk to appoint Second Assistant.....	21
relative to adjournment.....	26, 253, 769
for a standing committee on drainage.....	27
for a committee to recommend reference of Governor's message to print message in daily journal.....	27
to print message in foreign languages.....	27-8, 47
for a special committee on apportionment.....	37
authorizing judiciary committee to appoint a clerk.....	37
instructing judiciary committee to report as to expediency of increasing salaries of judges.....	37-8, 54
instructing Clerk to procure 500 additional copies of daily journal.....	46
for an additional messenger boy.....	46, 98, 118, 127, 296
relative to compelling children to attend school.....	50
requesting committee on ways and means to report mileage.....	50
relative to investing surplus funds in State treasury in U. S. government bonds.....	63, 181
to print lists of standing committees.....	75
relative to uniformity of text-books in primary schools.....	75-6
prohibiting smoking in the hall.....	76, 224
relative to electing U. S. Senator.....	76, 127
relative to translation of Governor's message.....	76

	PAGE
RESOLUTIONS,	
requesting Quartermaster General to furnish statement of ord- nance stores.....	84
relative to simplifying practice in courts of record.....	84
instructing Clerk to procure statement of subsidies paid circuit judges by counties.....	101-2
to reprint bills after being passed.....	118
to appoint a special committee to investigate the subject of re- turns to, and sales by, Auditor General.....	127
requesting committee on internal improvements to report as to propriety of increasing taxation on railroads.....	155
authorizing committee on elections to send for persons and papers in case of Wells vs. Boyce.....	157
inviting Prof. Winchell to lecture.....	160
to pay \$100 for messages printed in Holland language.....	201
granting use of Hall to L. D. Dibble.....	295
to print report of State Geologist.....	296
to excuse Clerk from calling names a second time.....	296
relative to electrotyping new compiled laws.....	324
to print annual reports.....	324
relative to a general law for incorporation of cities and villages, instructing committee on Reform School to report as to practi- cability of teaching trades in that institution.....	325-6
to grant seat of Samuel L. Boyce to Frederick L. Wells.....	375
requesting James S. Dewey to report obsolete laws.....	394
on reports of committees on bills legalizing tax-rolls.....	435
requesting State Treasurer to furnish statement of specific taxes paid by mining corporations.....	436
requesting Auditor General to furnish statement of specific taxes paid by mining corporations.....	472
requesting Attorney General to furnish his opinion as to liabil- ity of railroads to pay taxes on railroad-grant lands.....	515, 657
to refer Governor's message on Portage Lake and Lake Supe- rior ship canal.....	517
granting use of Hall to Moses W. Field.....	517
requesting members to furnish titles of bills introduced for reporters.....	545
to appoint temporary Assistant Fireman.....	575
relative to motion to reconsider under operation of previous question.....	576, 705
granting use of Hall to Z. R. Brockway and C. I. Walker.....	619
to suspend rule requiring one day's notice of introduction of bills.....	653, 760
instructing committee on D., D., and B. Asylum to obtain in- formation of certain items of expenditures by said institution, to print report of amount of specific taxes paid by mining cor- porations.....	654
to discharge committee on drainage from consideration of Delhi petition.....	654
to grant use of Hall to Republican State convention.....	656
to grant use of Hall to Democratic State convention.....	656
relative to reporter of "Detroit Daily Post".....	730
authorizing State Librarian to purchase six copies of Cooley's Constitutional Limitations.....	774
granting use of Hall to N. W. Clark.....	905
relative to consideration of subject of Homeopathy.....	906
requesting Commissioner of State Land Office to furnish state- ment of lots contracted for by religious denominations in Lansing.....	939, 1018

INDEX.

2625

RESOLUTIONS,	PAGE.
granting use of Hall to G. B. Stebbins.....	940
granting use of Hall to Mrs. Dr. Wheaton.....	945
to prohibit granting further use of Hall.....	945
granting use of Hall to Woman Suffragists.....	1022
directing Clerk to furnish general-order cards.....	1094
directing removal of books from State library.....	1094-5
to dispense with further religious exercises.....	1136
requesting Auditor General to furnish statement of amount received from sales of swamp land.....	1193
inviting Dr. J. P. Tustin to lecture.....	1209
requesting Commissioner of State Land Office and Auditor General to furnish statement of certain lands.....	1317, 1328-9
on death of Hon. Sanford Howard.....	1322
granting use of Hall to Dr. Asa Mahan.....	1330
relative to granting leave of absence.....	1330
on death of Hon. John Landon.....	1354-5
to drape flag.....	1365
to print 1,000 extra copies of daily journal.....	1393, 2090
to drape seat of Hon. John Landon.....	1401
granting use of Hall to Prof. A. Winchell.....	1405
to limit time of speaking.....	1486
requesting Auditor General to furnish itemized account of expenses of Swamp Land State Road Commissioner.....	1487
requesting Attorney General to furnish his opinion of right of Legislature to repeal plank road charters.....	1525
to prohibit taking bills from general order.....	1528
to censure James B. Walker, trustee of D., D., and B. Asylum,.....	1638
requesting State Treasurer to furnish statement of a certain item contained in his annual report.....	1992
on death of Hon. J. M. Howard.....	2058
requesting Auditor General to furnish statement of Swamp Land Interest Fund due Calhoun county.....	2176, 2254
requesting Auditor General to furnish statement of a certain statement contained in his annual report.....	2195
requesting L. B. Curtis to furnish statement of time spent as Swamp Land State Road Commissioner.....	2218, 2499
accepting portrait of Charles Carroll.....	2265-6
requesting Secretary of State to report the items of expense, and to whom paid, for collecting certain trespasses on public lands.....	2282-3
requesting State Treasurer to furnish statement of swamp land interest fund due Calhoun county.....	2285, 2317
requesting Commissioner of State Land Office to furnish statement of swamp land interest fund due Calhoun county,.....	2317, 2415
to allow extra compensation to firemen.....	2391
to allow extra compensation to assistant clerks,.....	2393, 2515, 2537, 2548
to suspend order of business during remainder of session.....	2415
congratulating Hon. W. R. Bates on receiving a government appointment.....	2421
directing Clerk to forward journals to members and officers.....	2441
relative to establishing State Public School in Lansing.....	2474
of thanks to Speaker.....	2537
relative to memorials on capital punishment.....	2538
of thanks to Clerk and Assistants.....	2538
of thanks to Speaker <i>pro tem</i>	2538-9
of thanks to messengers.....	2543

	PAGE.
RESOLUTIONS,	
of thanks to Enrolling Clerk and Assistant.....	2546
of thanks to reporters.....	2546
of thanks to citizens of Lansing.....	2546
of thanks to third house.....	2547
of thanks to clergymen of Lansing.....	2547
testifying to good conduct, moderation, and improvement of minority.....	2547
instructing judiciary committee to furnish a report on woman's suffrage.....	2547
accepting thanks of majority, and regretting inability to return compliment.....	2547
of thanks to W. S. George & Co.....	2548
REVISED STATUTES,	
to amend section 17, chapter 154 (H. B. 17).	
to amend section 7, chapter 140 (H. B. 25).	
to amend section 79, chapter 93 (H. B. 36).	
to amend section 11, chapter 91 (H. B. 85).	
to amend section 214, chapter 93 (H. B. 86).	
to amend section 5, chapter 23 (H. B. 88, 90).	
to amend section 59, chapter 14 (H. B. 111).	
to amend section 3, chapter 77 (H. B. 112).	
to amend section 39, chapter 91 (H. B. 113).	
to amend section 8, chapter 69 and section 13, chapter 70 (H. B. 114).	
to amend section 3, chapter 25 (H. B. 133).	
to amend chapter 67 (H. B. 179).	
to amend section 7, chapter 65 (H. B. 184).	
to amend chapter 130 (H. B. 209).	
to amend sections 3 and 4, chapter 27 (H. B. 265).	
to amend chapter 12 (H. B. 274).	
to amend chapter 126 (H. B. 282).	
to amend section 6, chapter 91 (H. B. 296).	
to amend section 86, chapter 93 (H. B. 325).	
to amend section 6, chapter 26 (H. B. 340).	
to amend section 6, chapter 34 (H. B. 345).	
to amend sections 23 and 25, chapter 72 (H. B. 350).	
to amend section 106, chapter 34 (H. B. 351).	
to amend section 57, chapter 103 (H. B. 366).	
to amend section 6, chapter 94 (H. B. 367).	
to amend section 27, chapter 106 (H. B. 445).	
to amend section 43, chapter 93 (H. B. 451).	
to amend chapter 109 (H. B. 488).	
to amend chapter 144 (H. B. 491).	
to amend section 16, chapter 150 (H. B. 514).	
to amend section 27, chapter 158 (H. B. 515).	
to amend section 6, chapter 140 (H. B. 517).	
to amend section 146, chapter 90 (H. B. 534).	
to amend section 12, chapter 65 (H. B. 573).	
to amend section 19, chapter 163 (H. B. 578).	
to amend section 63, chapter 10 (H. B. 598).	
to amend sections 4 and 5, chapter 97 (H. B. 493).	
to amend section 14, chapter 102 (H. B. 260).	
to amend section 20, chapter 140 (S. B. 16).	
to amend section 2, chapter 140 (S. B. 17).	
to amend section 65, chapter 14 (S. B. 26).	
to repeal section 2 of act to amend chapter 123 of (S. B. 116).	
to amend section 3, chapter 149 (S. B. 120).	

REVISED STATUTES,	
to amend section 17, chapter 130 (S. B. 123).	
to amend sections 16, 23-4-5-8-9, 57, 65-6-7, 80, 106, 137, and 139, chapter 58 (S. B. 137).	
to amend section 4, chapter 47 (S. B. 156).	
to amend section 19, chapter 172 (S. B. 172).	
RICHLAND,	
to incorporate the village of (H. B. 399).	
RIDING PARKS,	
to form companies for purpose of owning (H. B. 276).	
RIFORD, ALMOND B., of Berrien,	
resolution to print message in foreign languages, offered by....	28
appointed on special committee.....	84
resolution authorizing committee on elections to send for persons and papers in case of Wells vs. Boyce.....	157
memorial presented by.....	177
petitions presented by.....	259, 580, 627, 886, 1736, 2196
bills introduced by, 644, 645, 698, 763, 764, 788, 822, 823, 831, 858, 882.	
remonstrances presented by.....	799, 1735, 1981
chairman of committee of the whole.....	1125
remarks of, on death of Hon. Jacob M. Howard.....	2071-2
RIVERS,	
to amend act authorizing formation of companies for improving (S. B. 162).	
RIVERSIDE,	
to organize the township of (H. B. 126).	
ROADS,	
authorizing commissioners of highways to construct, on petition of a majority of resident land-owners (H. B. 446).	
ROBERTSON, JOHN,	
nomination of, to office of Adjutant General.....	2256-7
ROCKFORD,	
to incorporate the village of (H. B. 13).	
ROGERS,	
to organize union school district of township of (H. B. 107).	
ROLL OF HONOR,	
making an appropriation for parchment for (H. J. R. 9).	
ROMULUS,	
to provide for re-assessment and collection of certain ditch taxes in (S. B. 138).	
to legalize action of commissioners of highways of, in regard to certain ditches (S. B. 143).	
ROOD, HORACE D., of Lapeer,	
petitions presented by.....	40, 407, 557, 736, 833, 946, 947, 997, 1137, 1204.
bills introduced by.....	91, 768, 857
ROOF, ALBERT K., of Ionia,	
petitions presented by.....	64, 445, 447, 557, 778, 779, 796, 925
remonstrances presented by.....	446, 1269
memorials presented by.....	140
bills introduced by.....	499, 611, 822, 823, 865, 866
chairman of committee of the whole.....	1626, 1627
appointed on special committee.....	1734
ROOST, JOHN, of Ottawa,	
resolution requesting members to furnish State Printer lists of newspapers, offered by.....	21

	PAGE
Roost, JOHN, of Ottawa,	
resolution to print message in daily journal, offered by.....	27
motion by, relative to printing message in Holland language.....	28
petitions presented by.....	178, 208, 1137
resolution to pay \$100 for translating and printing Governor's	
message in Holland, offered by.....	201
remonstrances presented by.....	583, 624, 835
bills introduced by.....	608, 646, 825
resolution requesting Commissioner of State Land Office to fur-	
nish list of lots in Lansing contracted by religious denomina-	
tions.....	939
Ross, GILES, of Livingston,	
appointed on special committee.....	370
remonstrances presented by.....	737, 913
petitions presented by.....	738
memorials presented by.....	140, 1104
resolution relative to location of State Public Schools, offered by,	2474
ROUND LAKE,	
to organize the township of (H. B. 4).	
ROWLSON, HARVEY B.,	
for payment of printing done by (S. J. R. 7).	
RULES,	
of last House adopted.....	6
joint rules adopted.....	17
No. 39, of House, amended.....	27
report of committee on, on resolution relative to motion to	
reconsider under previous question.....	705-7
amendments to, adopted.....	770-3
RUMSEY, LOTTIE C.,	
to change name of (H. B. 197).	
RUNNING, BOOMING, AND RAFTING OF LOGS,	
to amend act authorizing formation of corporations for (H. B.	
67, 473).	
RUNYAN, HIRAM D., of Macomb,	
resolution offered by, relative to pensions to soldiers.....	155
resolution requesting Governor to transmit to Congress resolu-	
tion relative to pensions.....	253
RUSSELL,	
report of minority of committee on towns and counties on bill	
to organize county of.....	1116
to organize county of (H. B. 263).	
RUSSELL, FRANK G.,	
Governor's message read by.....	20
S.	
SAGINAW CITY,	
to amend charter of (H. B. 95.)	
to extend time for collection of taxes in (H. B. 213).	
relative to certain cemetery property in (H. B. 255).	
SAGINAW COUNTY,	
to detach certain territory from (H. B. 129).	
for paying expenses of certain ditches in (H. B. 234).	
to exempt, from county drain law (H. B. 545).	
SALES OF LAND,	
to legalize, by executors, administrators, or guardians (H. B. 231).	

INDEX.

2629

PAGE.

SANILAC,	
to detach certain territory from the county of (H. B. 370).	
SARANAC,	
to amend charter of (H. B. 154).	
SAUGATUCK,	
to legalize the tax of township of (S. B. 40).	
SAVINGS ASSOCIATIONS,	
to amend act for incorporation of (H. B. 52, S. B. 185).	
SAVINGS FUND INSTITUTE,	
statement of condition of.....	83-4
SCHOOLCRAFT,	
to organize the county of (H. B. 164).	
SCHOOL DISTRICT LIBRARIES,	
to amend act to provide for establishment of (H. B. 579).	
SCHOOL TAXES,	
to provide for assessment of, in fractional districts (H. B. 208).	
SECRETARY OF STATE,	
communication from, relative to interest due Calhoun county	
from swamp land fund	2317
directing, to provide electors with uniform ballots on constitu-	
tional amendments (S. B. 210).	
authorizing, to compile and publish highway laws (H. B. 484).	
SELKRIG,	
to change name of family of (H. B. 437, S. B. 46).	
SENATORS IN STATE LEGISLATURE,	
to apportion (H. B. 481, S. B. 176).	
SERGEANT-AT-ARMS,	
appointment of Henry Underwood as temporary.....	3
election of Henry Underwood to office of.....	10
authorized to appoint assistant.....	12
appointment of assistant by	15
directed to enforce smoking rule.....	224
SESSION LAWS,	
to amend act 105, laws of 1863 (H. B. 1).	
to repeal act 43, laws of 1869 (H. B. 14).	
to repeal act 205, laws of 1865 (H. B. 27, 39).	
to amend act 133, laws of 1869 (H. B. 31).	
to amend act 156, laws of 1851 (H. B. 34).	
to amend act 169, laws of 1869 (H. B. 47, 55, 57, 140, S. B. 47,	
108, 166, 208).	
to amend act 107, laws of 1869 (H. B. 49).	
to amend act 406, laws of 1869 (H. B. 51).	
to amend act 194, laws of 1867 (H. B. 54).	
to amend act 267, laws of 1869 (H. B. 60).	
to repeal act 76, laws of 1867 (H. B. 66, 476).	
to amend act 242, laws of 1869 (H. B. 81).	
to repeal act 100, laws of 1865 (H. B. 82).	
to amend act 399, laws of 1867 (H. B. 84).	
to amend act 43, laws of 1869 (H. B. 96).	
to amend act 467, laws of 1869 (H. B. 116).	
to repeal act 402, laws of 1869 (H. B. 131).	
to repeal act 112, laws of 1848 (H. B. 132).	
to repeal act 169, laws of 1869 (H. B. 138).	
to repeal act 6, laws of 1869, (H. B. 160.)	
to amend act 162, laws of 1867 (H. B. 162).	
to amend act 177, law of 1859 (H. B. 171).	
to repeal act 58, laws of 1849 (H. B. 187).	

SESSION LAWS.

- to amend act 82, laws of 1869 (H. 192).
- to amend act 124, laws of 1869 (H. B. 204).
- to amend act 128, laws of 1869 (H. B. 216).
- to amend act 153, laws of 1869 (H. B. 228).
- to amend act 147, laws of 1869 (H. B. 251).
- to amend act 76, laws of 1861 (H. B. 260, 461).
- to repeal act 352, laws of 1867 (H. B. 261).
- to amend act 148, laws of 1869 (H. B. 264).
- to repeal act 52, laws of 1846 (H. B. 267).
- to amend act 187, laws of 1859 (H. B. 270).
- to amend act 75, laws of 1867 (H. B. 290).
- to amend act 300, laws of 1850 (H. B. 293).
- to repeal act 153, laws of 1851 (H. B. 294).
- to amend act 14, laws of 1869 (H. B. 297).
- to amend act 412, laws of 1869 (H. B. 306).
- to repeal act 271, laws of 1848 (H. B. 314).
- to amend act 106, laws of 1861 (H. B. 326).
- to repeal act 191, laws of 1867 (H. B. 342).
- to repeal act 65, laws of 1869 (H. B. 343).
- to amend act 138, laws of 1867 (H. B. 393).
- to amend act 39, laws of 1869 (H. B. 394).
- to amend act 84, laws of 1869 (H. B. 395).
- to amend act 309, laws of 1869 (H. B. 398).
- to amend act 186, laws of 1863 (H. B. 401).
- to amend act 161, laws of 1859 (H. B. 411).
- to amend act 428, laws of 1869 (H. B. 415).
- to amend act 163, laws of 1861 (H. B. 416).
- to amend act 28, laws of 1869 (H. B. 425).
- to amend act 112, laws of 1869 (H. B. 429).
- to amend act 163, laws of 1861 (H. B. 453, S. B. 10).
- to amend act 112, laws of 1861 (H. B. 459).
- to amend act 115, laws of 1861 (H. B. 469).
- to amend act 16, laws of 1864 (H. B. 473).
- to amend act 259, laws of 1861 (H. B. 474).
- to amend act 117, laws of 1859 (H. B. 476).
- to amend act 146, laws of 1861 (H. B. 479).
- to amend act 267, laws of 1869 (H. B. 497).
- to amend act 77, laws of 1869 (H. B. 499).
- to amend act 370, laws of 1869 (H. B. 502).
- to amend act 303, laws of 1866 (H. B. 508).
- to amend act 188, laws of 1861 (H. B. 520).
- to amend act 231, laws of 1863 (H. B. 536).
- to repeal act 21, laws of 1869 (H. B. 540).
- to amend act 208, laws of 1869 (H. B. 579).
- to amend act 43, laws of 1869 (H. B. 580).
- to amend act 145, laws of 1869 (H. B. 588).
- to amend act 44, laws of 1869 (H. B. 592).
- to repeal act 145, laws of 1863 (H. B. 595).
- to amend act 110, laws of 1861 (H. B. 597).
- to amend act 125, laws of 1869 (S. B. 22).
- to amend act 235, laws of 1849 (S. B. 37).
- to amend act 140, laws of 1863 (S. B. 93).
- to amend act 146, laws of 1861 (S. B. 96).
- to amend act 35, laws of 1869 (S. B. 112).
- to amend act 168, laws of 1869 (S. B. 114).
- to amend act 420, laws of 1867 (S. B. 182).

INDEX.

2631

	PAGE.
SHEARER, JAMES, nominated as State Building Commissioner.....	2256-7
SHIAWASSEE RIVER, to drain swamp lands by straightening and deepening (H. B. 603).	
SIBLEY, to vacate the township of (H. B. 147).	
SKATING PARKS OR RINKS, to amend act relative to formation of (S. B. 8).	
SLACKWATER NAVIGATION COMPANIES, to amend act to provide for incorporation of (H. B. 341).	
SLEEPING BEAR, to change name of township of (S. B. 61).	
SMITH, FRANKLIN DWIGHT, to change the name of (H. B. 313).	
SMITH, FRANK L., of Jackson, petitions presented by	141, 300
appointed on special committee.....	1355, 2523
SMITH, L. M. S., to authorize Board of State Auditors to pay printing account of (S. J. R. 14).	
SOLDIERS AND SAILORS, resolutions adopted at reunion of.....	949-50
to exempt, from payment of poll-tax (H. B. 290).	
SOUTH HAVEN, to re-incorporate the village of (S. B. 33).	
SPEAKER, J. J. Woodman elected to the office of.....	6
remarks of, on taking chair.....	8
appointments announced by	16, 38, 140
standing committees announced by.....	30
point of order made by, on operation of previous question	541
petitions presented by	949, 1189
announcement by, of death of Hon. John Landon.....	1353
remarks by, on death of Hon. John Landon	1354
appointed on special committee.....	1355
thanks of House tendered to.....	2537
remarks of, at final adjournment.....	2549
SPEAKER PRO TEM., Ezra Hazen chosen for, at opening.....	3
B. W. Huston, Jr., elected as.....	23
thanks of House tendered to.....	2538
SPECIFIC TAXES, communication from Auditor General showing amount of, paid by mining corporations.....	547-50
to remit certain (H. B. 384).	
SPRINGFIELD, to organize the township of (H. B. 62).	
SPRING LAKE, to amend charter of (H. B. 224).	
SPRING LAKE SALT COMPANY, to change the name of (H. B. 123).	
SPRINGWELLS, to vacate one mile of plank road in town of (H. B. 548).	
to repeal act to maintain a bridge at Ives' Dock, in town of (H. B. 805).	
STANDING COMMITTEES, announcement of appointment of.....	30-1

STATISTICS,	
for publishing, taken by U. S. authority (H. B. 288).	
STATE ACCOUNTS,	
to provide for settlement of (H. B. 423).	
STATE AGRICULTURAL SOCIETY,	
to refund certain moneys expended by, for benefit of Normal School (H. J. R. 16).	
STATE BOARDS,	
to amend act requiring, to make annual reports (H. B. 368).	
STATE BOARD OF EQUALIZATION,	
to amend act to provide for (H. B. 448).	
STATE BOARD OF CONTROL,	
to amend act defining powers of (H. B. 476).	
STATE BOUNTIES,	
authorizing a temporary suspension of payment of (H. J. R. 27).	
STATE BUILDING COMMISSIONERS,	
nomination of, ratified and confirmed.....	2256-7
STATE CAPITOL,	
to provide for the erection of a new (S. B. 82, H. B. 546).	
STATE DEBT,	
to provide for payment of interest on (H. B. 358).	
STATE DITCH,	
to lay out in counties of St. Clair and Sanilac (H. B. 329).	
to provide for in township of Lee (H. B. 566).	
STATE GOVERNMENT,	
to provide a tax for paying expenses of (H. B. 353).	
STATE LIBRARY,	
to provide for an insurance on (H. B. 163).	
to amend act relative to care of (H. B. 293).	
to repeal sections 200-1-2-3, chapter 7, of compiled laws, relative to (H. B. 397).	
to provide for purchase of books for (S. B. 54).	
STATE NORMAL SCHOOL,	
report of committee on education relative to.....	592-3
to amend act in relation to granting diplomas to graduates of (H. B. 1).	
making appropriations for (H. B. 46).	
to establish an additional (H. B. 173).	
to refund certain moneys to State Agricultural Society heretofore expended for benefit of (H. J. R. 16).	
STATE OFFICERS,	
to provide for payment of salaries of (S. B. 181).	
STATE PRINTER,	
instructed to transmit daily journal to judges, etc.....	17
instructed to transmit daily journal to clergymen.....	24
thanks of House tendered to.....	2548
STATE PRINTING AND BINDING,	
to amend act relative to letting contracts for (S. B. 102).	
STATE PRISON,	
report of committee on, relative to.....	803-6
to authorize the sale of certain lands belonging to (S. J. R. 10).	
to provide for letting contracts for supplying woolen goods to (S. J. R. 19).	
to provide for repairing (S. B. 119).	
STATE PUBLIC SCHOOL,	
to establish, for dependent children (S. B. 154).	

- STATE REFORM SCHOOL,**
 making appropriations for (H. B. 457, S. B. 173).
 to provide for letting contracts for supplying woolen goods to
 (H. J. R. 19).
- STATE REPORTER,**
 to provide for the appointment of (S. B. 209).
- STATE ROADS,**
 from Grand Traverse Bay to Manistee river (H. B. 22).
 from Sherman, to intersect Midland City, Houghton Lake, and
 Traverse Bay (H. B. 23).
 from east arm of Grand Traverse Bay to O. E. Clark's (H. B.
 24).
 to provide for laying out, in Eagle Harbor (H. B. 42).
 Bridgeport and Forestville, between Vassar and Wahjemega
 (H. B. 56).
 from Bad Axe to town 12 north, of range 12 east (H. B. 69).
 from Seull Choix Harbor to Grand Island Harbor (H. B. 75).
 to repeal act for Cass River and Wild Fowl Bay (H. B. 82).
 to aid Cass River and Bay City, between forks of Cass River
 and Unionville (H. B. 83).
 to amend act establishing, from Clio to Chesaning (H. B. 84).
 to establish Almer and Fair Grove (H. B. 109).
 to establish Sault Ste. Marie and Grand Island extension (H. B.
 117).
 to establish, from Beechville to Marathon (H. B. 125).
 to repeal act establishing, in counties of Macomb and St. Clair
 (H. B. 181).
 for laying out Wahjemega and Sebawaing (H. B. 141).
 for laying out in county of Montcalm (H. B. 146).
 for using unexpended lands of Grand Rapids and Muskegon,
 in townships of Eggleston and Muskegon (H. B. 193).
 for completing western portion of Capac and Clyde (H. B. 194).
 for laying out, in township of Muzzy and Lynn (H. B. 194).
 for laying out, in town 3 north, range 11 west (H. B. 199).
 for laying out, from northern terminus of St. Charles to inter-
 sect St. Louis and Saginaw plank road (H. B. 203).
 for improvement of Port Sanilac and Tuscola (H. B. 207).
 for improvement of Greenbush and Gratiot (H. B. 215).
 to vacate a portion of Pontiac and Grand river (H. B. 231).
 to lay out, from Tyre to shore of Lake Huron (H. B. 235).
 to establish, in counties of Midland and Saginaw (H. B. 242).
 to aid in completing Tuscola and Saginaw Bay (H. B. 249).
 to establish Big Rapids and Chippewa river (H. B. 250).
 to establish the Meridian (H. B. 254).
 to vacate portions of Pontiac and Grand river (H. B. 381).
 to establish, in counties of Ontonagon and Houghton (H. B. 283).
 to establish, in counties of Clare and Roscommon (H. B. 301).
 to establish, in county of Isabella (H. B. 302).
 to establish, in county of Lapeer (H. B. 309).
 to complete, from Follett & Shoemaker's mill to Greenville
 (H. B. 315).
 to complete Midland and Isabella (H. B. 316).
 to establish, in county of Huron (H. B. 327).
 to establish the Harrisville and Grand Traverse (H. B. 330).
 to establish the Alpena and Antrim (332).
 for completion of Midland, Houghton Lake, and Grand
 Traverse (H. B. 338).

STATE ROADS,

- to amend act to establish, from Angell's Landing to center of town 29 north, range 1 west (H. B. 335).
- to establish from Copper Harbor across Mineral Range and valley of Montreal river (H. B. 348).
- to establish, from Gratiot river to head of Torch lake (H. B. 349).
- to provide for completion of Mineral Range and Ontonagon State line (H. B. 362).
- to lay out, from Cheboygan to Little Traverse Bay (H. B. 364).
- to determine width of Goodrichville and Lower Saginaw (H. B. 377).
- to establish, in townships of Guilford and Wisner (H. B. 379).
- to aid the Tuscola and Saginaw Bay (H. B. 381).
- to aid the Caro and Wells, in Tuscola county (H. B. 382).
- to aid the Newaygo and Dayton (H. B. 430).
- to establish, from east line of Leavitt to Hart (H. B. 432).
- to establish, from town 24 north, range 4 east, to meridian (H. B. 434).
- to establish, in counties of Isabella, Midland, and Clare (H. B. 440).
- to establish, from Midland City to west line of Midland county (H. B. 450).
- for straightening and improving the Cass River and Bay City (H. B. 458).
- to establish, from Lapeer city to Caro village (H. B. 478).
- to establish, from Saginaw Bay to west line of Iosco county (H. B. 496).
- appointing special commissioner on part of Sanilac and Bay (H. B. 528).
- to establish, from New England Mine to Michigan Furnace (H. B. 543).
- to establish Cooper and Bloomingdale (H. B. 552).
- to establish, in counties of Bay and Iosco (H. B. 554).
- for improvement of Cass River and Bay City (H. B. 557).
- to establish, in counties of Bay and Midland (H. B. 562).
- to establish, from Manistee to Spring Lake (H. B. 574).
- to establish, in the county of Alcona (575).
- to establish, from Sherman to Bear Lake (577).
- to establish Oscoda and Plainfield (H. B. 581).
- to connect Cass river and Bay City, with the Fentonville (H. B. 582).
- to aid Cass river and Bay City (H. B. 583).
- to make additional appropriation to Cass river and Bay City (H. B. 584).
- in northern portion of Lower Peninsula (H. B. 605).
- to establish, in Clare and Gladwin counties (H. B. 612).
- to establish, in Midland and Gladwin counties (S. B. 55).
- to establish the Flint River (S. B. 87).
- to establish, from Saginaw river to Freeland Station (S. B. 100).
- to establish, in the county of Sanilac (S. B. 133).
- to complete the Port Sanilac and Tuscola (S. B. 139).
- to amend act establishing Mineral Range (S. B. 168).
- to amend act establishing Midland City, Houghton Lake, and Grand Traverse (S. B. 182).
- to complete Green Bay and Bay De Noquet (S. B. 192.)
- to establish, in the county of Houghton (S. B. 194).

STATE ROADS,	
to establish, from Little Traverse Bay to intersect Duncan and Alpena (S. B. 199).	
to establish the Dorr and Salem (S. B. 2034).	
to establish, from Leland to Northport (S. B. 204).	
to establish the Bangor and South Haven (S. B. 205).	
STATE ROAD FUND,	
to secure to, proceeds of State swamp lands in Lower Peninsula (H. B. 606).	
STATE SWAMP LANDS,	
granting to the several counties the unappropriated (H. B. 887).	
to provide for sale of, on north shore of Lake Michigan (H. B. 328).	
to amend act to secure preemption claims of settlers on (H. B. 525).	
to provide for sale of, sold under act 31 of 1858, or act 106 of 1859 (H. B. 550).	
to restore to market (H. B. 596).	
STATE TREASURER,	
report of committee of ways and means as to expediency of authorizing, to invest moneys in treasury in United States government bonds.....	181-3
communication from, relative to specific taxes received from mining corporations.....	451
communication from, relative to item "Expenses of Sale," in last annual report.....	1946
communication from, as to amount of interest from swamp land fund due Calhoun county.....	2317
authorizing, to deliver railroad bonds to townships depositing them (H. B. 419).	
STATE TREASURY,	
to regulate payment of funds from (H. B. 861).	
STATE UNIVERSITY,	
report of committee on education relative to.....	483-6
making appropriation for new hall for (H. B. 177).	
to amend act extending aid to (H. B. 297).	
to amend act to provide for government of (H. B. 443).	
STATIONERY,	
report of amount of, drawn by committees and officers.....	2507-8
STATIONERY AND PORTABLE BOILERS,	
• to provide for appointment of inspectors of (H. B. 76).	
STENOGRAPHERS,	
to provide for appointment of, for circuit courts (H. B. 26).	
STONE,	
requesting of Geological Board information of suitableness of, within the State for new Capitol (H. J. R. 14).	
STRONACH,	
to detach certain territory from township of (S. B. 51).	
St. CLAIR,	
to amend charter of (S. B. 79).	
St. GEORGE'S SOCIETY,	
to incorporate, of Detroit (H. B. 33).	
to provide for incorporation of (H. B. 464).	
St. JEAN BAPTISTE SOCIETIES,	
to provide for the incorporation of (H. B. 257).	
St. JOSEPH,	
to exempt county of, from county drain law (H. B. 202).	

	Page.
ST. MARY'S FALLS SHIP CANAL, to appoint commissioners to procure lands for enlargement of (S. B. 115).	
ST. PAUL'S EPISCOPAL CHURCH, OF LANSING, to confirm title to lot in (S. B. 92).	
SUITS AT LAW, to provide for filing and recording notice of pendency of (H. B. 58).	
SUMNER, JOHN J., of Monroe, bills introduced by.....	90, 704, 831
petitions presented by.....	406, 1302
SUPERINTENDENT OF PUBLIC INSTRUCTION, communication from, relative to annual report.....	423
SUPREME COURT, to amend act for organization of (H. B. 11, S. B. 13).	
SURREY, to organize the township of (H. B. 279).	
SWAMP LANDS, (see "State swamp Lands").	
SWAMP LAND CERTIFICATES, to issue, in lieu of certain internal improvement land warrants (H. J. R. 15).	
SWAMP LAND STATE ROAD COMMISSIONER, itemized account of expenses of.....	1766-97
statement of account of, in collecting trespasses upon public lands.....	2318-19
communication from, relative to time spent in discharge of duties of office.....	2499
to repeal act for appointment of (H. B. 66).	
to amend act to provide for appointment of (S. B. 206).	
STATE SWAMP LAND COMMISSIONERS, to create a Board of (H. B. 476).	
SWEET, SADIE M., to change name of (H. B. 168).	
SWINEFORD, ALFRED P., of Marquette, bills introduced by, 49, 125, 196, 197, 220, 246, 277, 458, 459, 535, 536, 823, 869.	
resolution offered by, directing committee on ways and means to report mileage due members.....	50
resolution relative to simplifying practice, pleadings, etc., in courts of record.....	* 80
appointed on special committee.....	84, 1353, 1355
petitions presented by.....	140, 178, 239, 338, 736, 833, 1138, 1212
joint resolutions introduced by.....	168, 356
remonstrances presented by.....	239, 406, 1137
memorial presented by.....	406
resolution requesting members to report titles of bills for reporters.....	545
chairman of committee of the whole.....	940
resolution relative to religious services in House, offered by....	1136
remarks of, on death of Hon. John Landon.....	1363
remarks of, on death of Hon. Jacob M. Howard.....	2067-8
resolution of thanks to reporters, offered by.....	2546
resolution accepting thanks of majority, and regrets on part of minority, offered by.....	2547

T.

TAXES,

- to provide for sale of lands encumbered with drainage (H. B. 283).
- relative to construction of acts legalizing, and assessments and tax-rolls (H. B. 240).
- to extend time for collection of, in Lincoln..... 92
- to extend time for collection of, in Flint..... 92
- to extend time for collection of, in Hamtramck..... 139
- to extend time for collection of, in Wayland..... 143
- to extend time for collection of, in Saginaw (H. B. 213).
- to extend time for collection of, in Watertown (H. B. 275).
- to extend time for collection of, in Detroit (S. B. 24).
- to extend time for collection of, in Novi (S. B. 64).
- to extend time for collection of, in Jackson (S. B. 140).
- to extend time for collection of, in Alabaster (H. B. 471).

TAX-ROLLS,

- to legalize, of L'Anse (H. B. 2).
- to legalize, of Leonidas (H. B. 6).
- to legalize, of Alpena (H. B. 12).
- to legalize, of Deerfield (H. B. 19).
- to legalize, of Osseneke (H. B. 105).
- to legalize, for unorganized territory attached to Alpena county (H. B. 106).
- to legalize, of East Bay (H. B. 320).
- to legalize, of Dwight (H. B. 439).
- to legalize, of Kasson (S. B. 4).
- to legalize, of Saugatuck (S. B. 40).
- to legalize, of townships of Bay county (S. B. 95).

TEXT-BOOKS,

- to establish a county uniformity of (H. B. 385).

THAYER, SIMEON M., of Sanilac,

- bills introduced by 125, 169, 537, 609, 863
- petitions presented by 141, 161, 407, 442, 448, 581, 627, 1489, 1540, 1736.
- resolution to print geological report, offered by 296
- remonstrances presented by 442, 443, 583, 624, 779, 911, 1073, 1540, 1735.
- joint resolution introduced by 877

THORNE, RICHARD,

- for the relief of (H. J. R. 28).

THORP,

- to change the name of township of (H. B. 157).

THREE RIVERS,

- to amend the charter of (S. B. 90).

THROOP, WILLIAM A.,

- nomination of, as Quartermaster General..... 2256-7

TOBEY, BRACEY, of St. Joseph,

- appointed on special committee..... 173
- petitions presented by 407, 443, 777, 1272
- bills introduced by 573, 787
- remonstrances presented by 997, 1272

TOWNSHIP DRAIN COMMISSIONER,

- to authorize the election of (H. B. 59).

TRAM RAILWAYS,

- to further amend act to provide for construction of (H. B. 409).

- TRESPASS,
 making the action of, transitory in certain cases (H. B. 190).
 TRUST, DEPOSIT, AND SECURITY COMPANIES,
 to provide for the incorporation of (H. B. 291).
 TUSCOLA COUNTY,
 to detach certain territory from (H. B. 312).
 to exempt, from provisions of county drain law (H. B. 533).

U.

- UNDERWOOD, HENRY,
 appointment of, as Sergeant-at-Arms *pro tem*. 3
 election of, as Sergeant-at-Arms. 10
 UNIFORM ASSESSMENT OF PROPERTY,
 to amend act to provide for (H. B. 47, 55, 57, 140, 359, 371, 406,
 427, S. B. 47, 108, 166, 208).
 to provide for, and repeal act 169 of laws of 1869 (H. B. 138).
 to provide for, according to value in money (H. B. 561).
 UNIFORM BALLOTS,
 to provide for, on constitutional amendments (S. B. 210).
 UNITED STATES LANDS,
 ceding jurisdiction of this State over (H. B. 311).
 UNITED STATES SENATOR,
 election of Thomas W. Ferry to the office of 153-4, 173-5
 UNIVERSITY, STATE,
 report of committee on education relative to 483-6
 making appropriation for new hall for (H. B. 177).
 to amend act to extend aid to (H. B. 297).
 to amend act to provide for government of (H. B. 442).

V.

- VAN SCOY, ROWLAND S., of Clinton,
 petitions presented by . . . 142, 267, 299, 443, 444, 479, 554, 735,
 736, 737, 834, 1031, 1112.
 memorial presented by 299
 bills introduced by 856, 857, 871
 VASSAR,
 to incorporate the village of (H. B. 97).
 VERMONTVILLE,
 to incorporate the village of (S. B. 50).
 VERNON,
 to incorporate the village of (H. B. 212).

W.

- WALKER, BARBARA,
 to change name of (H. B. 389).
 WALKER, JOHN, of Kalamazoo,
 appointed on special committee 19, 2074
 resolution to prohibit smoking in Hall, offered by 76
 bill introduced by 871
 chairman of committee of the whole 1534
 resignation of, as member of committee on Deaf, Dumb, and
 Blind Asylum 2010

INDEX.

2039

Page.

WALTON, JACOB, of Lenawee,	
petitions presented by.....	39, 204, 409, 411, 668
bill introduced by.....	868
resolutions on death of Hon. Sanford Howard, offered by.....	1822
WATER,	
to amend act for introduction of, in cities and villages (H. B. 38).	
WATERTOWN,	
to extend time for collection of taxes in township of (H. B. 275).	
WATER-POWER COMPANIES,	
to amend act to provide for incorporation of (H. B. 414, 506, 508, S. B. 28).	
WATKINS, CHARLES W., of Allegan,	
resolution relative to investing surplus State funds in United States government bonds, offered by.....	63
resolution directing Quartermaster General to furnish statement of ordinance, reported by.....	80
bills introduced by.....	197, 322, 391, 460, 497, 645, 829, 861-2
petitions presented by.....	405, 499, 588, 628, 795, 1081
remonstrance presented by.....	1204
WAYLAND,	
to amend the charter of (H. B. 178).	
WAYNE COUNTY,	
to provide for deposit and safe keeping of moneys collected in (S. B. 83).	
to give auditors of, a salary (H. B. 287).	
WAYNE COUNTY AUDITORS,	
to pay a salary (H. B. 287).	
to provide for publication of claims allowed by (S. B. 161).	
WEBSTER, ALANSON J., of Oakland,	
bills introduced by.....	499, 868
petition presented by.....	519
WELLS, FREDERICK L., of St. Clair,	
memorial of, presented.....	82
committee on elections empowered to send for persons and papers in case of.....	157
report of committee on elections on memorial of.....	328-81
report of minority of committee on elections on memorial of.....	360-9
resolution giving seat to, adopted.....	378-6
oath of office administered to.....	381
petitions presented by.....	405, 480, 1118
remonstrances presented by.....	480, 1118, 1215
bill introduced by.....	606
WENONA,	
to amend the charter of (S. B. 105).	
WHITE, DARWIN O., of Oakland,	
petitions presented by.....	122, 798, 1438
bills introduced by.....	392, 859
remonstrances presented by.....	795, 1270
memorial presented by.....	834
WHITE,	
to organize the township of (H. B. 321).	
WHITEFORD,	
to construct a drain in the township of (H. B. 41).	
WHITE PIGEON,	
to amend the charter of (H. B. 336).	

	PAGE.
WILLIAMS, JAMES A., of Branch,	
petitions presented by.....	238, 338, 663, 795.
memorial presented by.....	445
resolution to grant use of hall to Mr. Z. R. Brockway, offered by.....	619
bills introduced by.....	851, 868, 877
resignation of, as member of committee on Deaf, Dumb, and Blind Asylum.....	2010
WILLIAMSTON,	
to incorporate the village of (H. B. 298).	
WINCHELL, PROFESSOR,	
committee appointed to invite, to address the House.....	164
WINTERFIELD,	
to organize the township of (H. B. 278).	
WOLVES,	
to amend laws relating to (H. B. 43).	
WOMAN SUFFRAGE ASSOCIATION,	
memorial of.....	1104-5
WOODMAN, JONATHAN J., of Van Buren,	
election of, as Speaker (see "Speaker,").....	6-7
WRIGHT AND TALMADGE,	
to collect a tax in fractional school district No. 6 of townships of (H. B. 176).	

Y.

YPSILANTI,	
giving common council of, power to vacate cemeteries (H. B. 890).	

Z.

ZAHN, WILLIAM,	
to change the name of (H. B. 310).	

INDEX.

2641

TABLE

SHOWING No. of House Bills as Printed, and No. in the following List or Index.

Printed Bill No.	Index No.	Printed Bill No.	Index No.	Printed Bill No.	Index No.	Printed Bill No.	Index No.	Printed Bill No.	Index No.	Printed Bill No.	Index No.	Printed Bill No.	Index No.
1	5	88	74	65	27	97	169	129	190	161	295	198	304
2	8	84	51	66	111	98	170	180	184	162	42	194	378
3	4	85	60	67	67	99	178	181	241	163	290	195	71
4	1	86	87	68	187	100	148	182	290	164	200	196	406
5	6	87	78	69	126	101	101	183	201	165	164	197	301
6	11	88	20	70	127	102	198	184	271	166	279	198	407
7	10	89	86	71	142	103	180	185	118	167	278	199	500
8	26	40	85	72	128	104	217	186	248	168	276	200	444
9	15	41	54	73	188	105	75	187	272	169	286	201	612
10	25	42	98	74	121	106	212	188	216	170	876	202	521
11	30	43	59	75	91	107	117	189	252	171	611	203	593
12	19	44	88	76	108	108	228	140	76	172	811	204	185
13	28	45	68	77	132	109	186	141	159	173	875	205	402
14	3	46	84	78	177	110	157	142	244	174	821	206	493
15	31	47	94	79	179	111	147	143	223	175	299	207	307
16	18	48	34	80	158	112	46	144	232	176	455	208	179
17	45	49	88	81	109	113	168	145	294	177	191	209	366
18	36	50	106	82	150	114	224	146	267	178	287	210	454
19	37	51	64	83	181	115	95	147	298	179	329	211	340
20	50	52	58	84	129	116	227	148	264	180	334	212	534
21	48	53	104	85	68	117	96	149	167	181	423	213	578
22	61	54	48	86	39	118	203	150	242	182	225	214	219
23	40	55	105	87	174	119	237	151	265	183	269	215	210
24	44	56	97	88	163	120	207	152	235	184	306	216	400
25	73	57	102	89	180	121	213	153	215	185	508	217	220
26	72	58	110	90	196	122	141	154	247	186	262	218	422
27	70	59	89	91	135	123	107	155	234	187	373	219	233
28	29	60	79	92	176	124	108	156	229	188	171	220	369
29	14	61	184	93	146	125	156	157	296	189	397	221	312
30	62	62	123	94	199	126	251	158	175	190	565	222	172
31	12	63	112	95	153	127	151	159	214	191	317	223	390
32	32	64	113	96	144	128	240	160	261	192	515	224	506

TABLE—CONTINUED.

Printed Bill No.	Index No.	Printed Bill No.	Index No.	Printed Bill No.	Index No.	Printed Bill No.	Index No.	Printed Bill No.	Index No.	Printed Bill No.	Index No.	Printed Bill No.	Index No.
225	385	257	510	289	58	321	409	353	413	385	564	417	502
226	56	258	459	290	404	322	208	354	165	386	332	418	503
227	390	259	291	291	277	323	575	355	355	387	315	419	400
228	443	260	349	292	352	324	354	356	393	388	496	420	22
229	100	261	343	293	438	325	312	357	259	389	335	421	437
230	253	262	363	294	581	326	204	358	69	390	28	422	438
231	583	263	132	295	411	327	392	359	327	391	474	423	470
232	391	264	471	296	273	328	139	360	125	392	473	424	570
233	333	265	302	297	303	329	420	361	364	393	250	425	566
234	133	266	99	298	357	330	401	362	330	394	223	426	300
235	503	267	540	299	523	331	579	363	116	395	596	427	350
236	507	268	530	300	233	332	432	364	419	396	553	428	430
237	362	269	495	301	333	333	140	365	115	397	131	429	547
238	452	270	573	302	431	334	477	366	24	398	341	430	473
239	594	271	239	303	133	335	314	367	57	399	433	....	....
240	335	272	243	304	195	336	456	368	577	400	266	....	....
241	519	273	333	305	537	337	410	369	416	401	235	....	....
242	414	274	520	306	593	338	533	370	544	402	476	....	....
243	356	275	393	307	421	339	234	371	466	403	417	....	....
244	359	276	263	308	403	340	550	372	465	404	353	....	....
245	427	277	173	309	136	341	450	373	270	405	353	....	....
246	371	278	233	310	192	342	145	374	41	406	354	....	....
247	233	279	370	311	325	343	532	375	525	407	211	....	....
248	413	280	313	312	300	344	560	376	435	408	316	....	....
249	551	281	13	313	426	345	513	377	434	409	543	....	....
250	292	282	114	314	457	346	255	378	334	410	517	....	....
251	563	283	233	315	446	347	553	379	333	411	274	....	....
252	537	284	320	316	467	348	293	380	535	412	600	....	....
253	154	285	162	317	543	349	464	381	337	413	436	....	....
254	77	286	221	318	257	350	194	382	553	414	256	....	....
255	339	287	377	319	323	351	47	383	331	415	130	....	....
256	443	288	531	320	193	352	535	384	332	416	602	....	....

HOUSE BILLS.

INDEXED BY SUBJECTS IN GENERAL INDEX.

	Page.
1. To amend section two, of act No. 105, of the session laws of 1863, being section No. 2231, in relation to granting diplomas to graduates of State Normal Schools, approved March 13, 1868:	
introduced by Mr. Hazen and referred.....	45
reported and referred to committee of the whole.....	52-3
reported and ordered to third reading.....	81-2
passed, with title amended.....	94
returned from Senate.....	120
reported enrolled.....	148
notice of approval.....	227
2. To legalize the tax-roll of the township of L'Anse, in the county of Houghton, for the year 1870, and to extend the time for the collection of the taxes of the said township:	
introduced by Mr. Holland and referred.....	45
reported and ordered to third reading.....	70
passed.....	74-5
returned from Senate.....	99-100
reported enrolled.....	105
notice of approval.....	155
3. To amend section one of an act entitled "An act to amend section 1687 of the compiled laws, requiring boards of supervisors to raise an annual tax for the benefit of county agricultural societies:"	
introduced by Mr. Coulter and referred.....	45
reported and referred to committee of the whole.....	85-6
reported, all after enacting clause stricken out, and enacting clause tabled.....	156-7
enacting clause taken from table and referred.....	2053
4. To organize the township of Round Lake, in the unorganized counties of Kalkaska and Crawford:	
introduced by Mr. W. H. C. Mitchell and referred.....	45
reported and referred to committee of the whole.....	52
reported and ordered to third reading.....	81-2
passed.....	98
returned from Senate.....	120
reported enrolled.....	142
notice of approval.....	227
5. To organize the township of Pioneer, in the unorganized county of Missaukee:	
introduced by Mr. W. H. C. Mitchell and referred.....	45
reported and referred to committee of the whole.....	51
reported and ordered to third reading.....	81-2
passed.....	91
returned from Senate.....	120
reported enrolled.....	142
notice of approval.....	226

	PAGE.
HOUSE BILLS:	
6. To legalize the tax-roll of the township of Leonidas, in the county of St. Joseph, for the year eighteen hundred and seventy, and to extend the time for the collection of the taxes therein until March 1st, eighteen hundred and seventy-one:	
introduced by Mr. Climie and referred.....	49
reported and referred to committee of the whole.....	53
committee of whole discharged from and passed.....	79
returned from Senate.....	100
reported enrolled.....	105
notice of approval.....	155
7. To incorporate the Magnetic Mineral Spring Company, of Spring Lake, Michigan:	
introduced by Mr. Adsit and referred.....	49
reported and tabled.....	53-4
8. To organize the township of Mancelona, in Otsego and Antrim counties:	
introduced by Mr. W. H. C. Mitchell and referred.....	49
reported and referred to committee of the whole.....	52
reported and ordered to third reading.....	81-2
passed.....	92
returned from Senate.....	120
reported enrolled.....	142
notice of approval.....	226
9. For creating and forming a seventeenth judicial circuit:	
introduced by Mr. Swineford and referred.....	49
10. To amend section forty-one of an act to revise the charter of the city of Flint, approved March 20, 1867:	
introduced by Mr. Adams and referred.....	49
reported and referred to committee of the whole.....	68
committee of whole discharged from and passed.....	96-7
returned from Senate.....	119
reported enrolled.....	121
notice of approval.....	155
11. To amend section 14 of an act entitled "An act to provide for the organization of the Supreme Court, pursuant to section 2, of article 6, of the constitution," approved February 16, 1857, being section 8378 of the compiled laws:	
reported by committee on judiciary and referred to committee of the whole.....	54
reported and ordered to third reading.....	81-2
tabled.....	95
12. To legalize the tax-roll of the township of Alpena, in the county of Alpena, for the year 1870, and to extend the time for the collection of the taxes therein:	
introduced by Mr. J. Haynes and referred.....	60
reported and referred to committee of the whole.....	188
reported and ordered to third reading.....	234-6
passed.....	252
returned from Senate.....	319
reported enrolled.....	380
vetoed and tabled.....	433-4
13. To incorporate the village of Rockford:	
introduced by Mr. N. R. Hill and referred.....	60
reported and tabled.....	590
taken from table and recommitted.....	992-3
reported and referred to committee of the whole.....	1181-3

HOUSE BILLS:

13. To incorporate the village of Rockford :
 committee of the whole discharged from, and ordered to
 third reading 1760
 passed 1830-1
 returned from Senate 2208
 reported enrolled 2386
 notice of approval 2559
14. To repeal act number 43 of the session laws of 1869, being an
 act entitled "An act to provide for the drainage of swamps,
 marshes, and other low lands :"
 introduced by Mr. Huston and referred 60
 reported and referred to the committee of the whole 187
 reported and tabled 235-6
 taken from table and passed 655
15. To amend section 18 of "An act to authorize the business of
 banking," approved February 16, 1857 :
 introduced by Mr. C. B. Grant and referred 60
 reported and referred to committee of the whole 68-9
 reported and ordered to third reading 127-8
 passed 188
 returned from Senate 275
 reported enrolled 347
 notice of approval 400
16. To incorporate the Marine City Workman's Aid Society :
 introduced by Mr. Minne and referred 60-1
 reported and tabled 68
17. To amend section 17, of chapter 154, of the revised statutes of
 1846, being section 5761, of chapter 181, of the compiled
 laws, entitled "Of offenses against property :"
 introduced by Mr. Coulter and referred 61
 reported and tabled 530-1
18. To organize the county of Kalkaska, and attach thereto the
 unorganized county of Crawford :
 introduced by Mr. W. H. C. Mitchell and referred 61
 reported and referred to committee of the whole 108-4
 reported and ordered to third reading 138-9
 passed 150
 returned from Senate 274
 reported enrolled 347
 notice of approval 400
19. To legalize the tax-rolls of the township of Deerfield, in the
 county of Lenawee, for each of the years 1869 and 1870 :
 introduced by Mr. Crane and referred 61
 reported and referred to committee of the whole 77-8
 reported 119
 passed 126
 returned from Senate 172
 reported enrolled 190
 notice of approval 227
20. To amend section 22, of chapter 21, of the compiled laws, as
 enacted by act number 71 of the session laws of 1869 :
 introduced by Mr. J. M. Osborn and referred 61
 reported and referred to committee of the whole 213
 reported and ordered to third reading 395
 passed, reconsidered and recommitted 415-16
 reported and passed 492-3

HOUSE BILLS :

20. To amend section 23, of chapter 21, of the compiled laws, as enacted by act number 71 of the session laws of 1899 :
 returned from Senate..... 1010
 reported enrolled..... 1089
 notice of approval..... 1313
21. To provide for the incorporation and charter of the Children's Banking Association of Michigan :
 introduced by Mr. Gibson and referred 61
 reported and tabled..... 565-6
22. To provide for the drainage and reclamation of swamp lands by means of a State road and ditches from the east arm of Grand Traverse bay to Manistee river, in Kalkaska county :
 introduced by Mr. W. H. Mitchell and referred..... 62
 reported and tabled..... 1495-6
 taken from table and re-referred 1532-3
 substitute reported for, adopted, and referred to committee of the whole..... 2061
 reported and ordered to third reading..... 2221
 tabled 2341
23. To provide for the drainage and reclamation of swamp lands by means of a State road and ditches from Sherman in an easterly direction to intersect the Midland City, Houghton Lake and Traverse Bay State road :
 introduced by Mr. W. H. C. Mitchell, and referred..... 62
 reported and referred to committee of the whole..... 1581
 reported and ordered to third reading 2136
 tabled 2164
24. To provide for the drainage and reclamation of swamp lands by means of a State road and ditches from the head of the east arm of Grand Traverse Bay to O. E. Clark's, on the Midland City, Houghton Lake and Traverse Bay State road :
 introduced by Mr. W. H. C. Mitchell and referred..... 62
 reported and referred to committee of the whole..... 1496
 reported and ordered to third reading 2117
 recommitted..... 2125
 reported and tabled..... 2541
25. To amend section 6, of chapter 140, of the revised statutes of 1846, being section 5366 of the compiled laws, relative to limitations of personal actions :
 introduced by Mr. Hoyt and referred..... 66
 reported and referred to committee of the whole..... 71-2
 reported and ordered to third reading..... 99
 passed..... 114
 returned from Senate..... 173
 returned to Senate..... 193
 re-returned from Senate and recommitted..... 217-18
 reported and Senate amendments non-concurred in..... 634-5
26. To amend section 9 of an act entitled "An act to provide for the appointment of a stenographer for the circuit court for the county of Wayne, and other counties in this State, and to limit the operations of sections one and four of an act to declare and establish the practice in charging or instructing juries, and in settling the law in cases tried in circuit courts, approved March 30, 1869," approved April 2, 1869 :
 introduced by Mr. Millington and referred..... 66
 substitute reported for and referred to committee of the whole..... 71

HOUSE BILLS:

26. To amend section 9 of an act entitled "An act to provide for the appointment of a stenographer for the circuit court for the county of Wayne, and other counties in this State, and to limit the operations of sections one and four of an act to declare and establish the practice in charging or instructing juries, and in settling the law in cases tried in circuit courts, approved March 30, 1869," approved April 2, 1869:	
reported and ordered to third reading.....	98-9
passed.....	113
returned from Senate amended.....	1748
Senate amendments reconsidered and non-concurred in.....	1807-8
returned from Senate and amendments concurred in.....	1949-50
reported enrolled.....	1980
notice of approval.....	2375
27. To repeal act No. 205, of the session of 1865, approved March 16, 1865, relating to a tax upon dogs:	
introduced by Mr. Hazen and referred.....	73
reported and referred to committee of the whole.....	347-8
reported and ordered to third reading.....	474
lost.....	501-2
28. To re-incorporate the village of Bronson:	
introduced by Mr. Gillam and referred.....	74
reported and referred to committee of the whole.....	85
committee of the whole discharged from, and recommitted.....	436
reported and ordered to third reading.....	483
passed.....	513
returned from Senate.....	641
reported enrolled.....	808
notice of approval.....	1045
29. To authorize the commissioners of highways of the townships of Michigan, to alter or vacate the territorial roads in their townships:	
introduced by Mr. Post and referred.....	74
reported and referred to committee of the whole.....	186
reported and ordered to third reading.....	234-6
passed.....	249
30. To collect, compile, and reprint the laws of this State:	
reported by committee on judiciary and referred to committee of the whole.....	77
reported and ordered to third reading.....	99
recommitted.....	115
reported and passed.....	129-30
returned from Senate with substitute, entitled "A bill to provide for the appointment of two commissioners to prepare the general laws of this State, for the proper compilation of the same," and recommitted.....	2395-6
reported and referred to committee of the whole.....	2502-3
committee of the whole discharged from, and ordered to third reading.....	2522
tabled.....	2534
31. To amend section 1, of act number 183, of the first volume of the session laws of 1869, entitled "An act in relation to the Michigan Reports deposited with the Secretary of State," approved April 3, 1869:	
reported by committee on judiciary and referred to committee of the whole.....	86
reported and ordered to third reading.....	128-9
passed.....	184

	PAGE
HOUSE BILLS :	
32. To amend section one of an act entitled "An act to provide for the further payment of certain drainage orders outstanding in the county of Oakland," approved April 3, 1869 :	
introduced by Mr. Andrews and referred.....	88
reported and referred to committee of whole.....	188-9
reported and ordered to third reading.....	235-6
passed.....	279
33. To incorporate the St. George's Society of Detroit :	
introduced by Mr. Gibson and referred.....	88
34. To amend section 11, of act number 156, of the laws of 1851, approved April 8, 1851, being section 11, of chapter 10, of the compiled laws, entitled "An act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain administrative and legislative powers :	
introduced by Mr. Barnaby and referred.....	89
reported and referred to committee of the whole.....	244
reported, all after enacting clause stricken out, and enacting clause tabled.....	297
35. To legalize the tax-roll of the township of Geneva, in the county of Van Buren, for the year 1870 :	
introduced by Mr. Hurlbut and ordered to third reading....	89
passed.....	95
returned from Senate.....	120
reported enrolled.....	142
notice of approval.....	236
36. To amend section 79, of chapter 93, of the revised statutes of 1846, entitled "Of courts held by justices of the peace," approved February 13, 1855, being section 3731 of the compiled laws :	
introduced by Mr. Adams and referred.....	89
reported and referred to committee of the whole.....	106
reported and ordered to third reading.....	138-9
passed.....	151-2
returned from Senate.....	193
reported enrolled.....	213
notice of approval.....	298
37. To amend section 3260 of the compiled laws, relative to annulling a marriage on the grounds of the physical incapacity of one of the parties :	
introduced by Mr. Post and referred.....	89
reported and referred to committee of the whole.....	106
reported and ordered to third reading.....	157
lost.....	159
38. To amend section 1 of an act entitled "An act to authorize the introduction of water into, and the construction or purchase of hydraulic works in the cities and villages in the State of Michigan," approved August 4, 1870 :	
introduced by Mr. Cameron and referred.....	89-90
reported and referred to committee of the whole.....	488-9
reported and ordered to third reading.....	579
passed.....	615
returned from Senate.....	759
reported enrolled.....	808
notice of approval.....	1146

HOUSE BILLS:

39. To amend section 7, of act number 205, of the session laws of 1865, entitled "An act to provide for a tax on dogs:"	
introduced by Mr. R. J. Grant and referred.....	90
reported and tabled.....	350
taken from table and referred to committee of the whole..	516
reported and ordered to third reading.....	661-2
lost.....	718
40. To extend the time of payment of drain taxes in the township of Burlington, in the county of Lapeer:	
introduced by Mr. Lamb and referred.....	90
reported and referred to committee of the whole.....	165
reported and recommitted.....	225-6
reported and ordered to third reading.....	341
passed.....	358
returned from Senate.....	390
reported enrolled.....	398
notice of approval.....	429
41. To provide for the construction of a drain in the township of Whiteford, county of Monroe, and making an appropriation of swamp lands to aid in the construction of the same:	
introduced by Mr. Sumner and referred.....	90
reported and referred to committee of the whole.....	1558
reported and ordered to third reading.....	2118
recommitted.....	2181-2
reported and tabled.....	2542-8
42. To provide for laying out and establishing a State road in the township of Eagle Harbor, county of Keweenaw:	
introduced by Mr. S. W. Hill and referred.....	80
reported and referred to committee of the whole.....	752
reported and ordered to third reading.....	1125
passed.....	1157
returned from Senate.....	2320-1
reported enrolled.....	2501
notice of approval.....	2566
43. To amend section 13, of chapter 51, of the compiled laws, relating to wolves and other noxious animals:	
introduced by Mr. Copley and referred.....	91
reported and referred to committee of the whole.....	145
reported and recommitted.....	202
reported and ordered to third reading.....	214
passed.....	223
returned from Senate.....	318-19
reported enrolled.....	380
notice of approval.....	400
44. Respecting the collection of a certain ditch tax in the township of Lapeer, county of Lapeer, for the year 1870, and for the re-assessment of the same:	
introduced by Mr. Rood and referred.....	91
reported and referred to committee of the whole.....	164-5
reported and ordered to third reading.....	225-6
passed.....	247
returned from Senate.....	641
reported enrolled.....	741
notice of approval.....	845

HOUSE BILLS :

45. To amend section 2 of an act entitled "An act to amend an act entitled 'An act to incorporate the village of Ionia,' approved February 17, 1865, being act number 232 of the second volume of the session laws of 1869," approved February 4, 1869 :	
reported by the committee on banks and incorporations and referred to committee of the whole.....	105-6
reported and recommitted.....	156-7
reported, amended, and ordered to third reading.....	191
passed.....	199
46. Making appropriations for the State Normal School :	
introduced by Mr. Crofoot and referred.....	112
reported and referred to committee on education.....	450
reported and referred to committee of the whole.....	592-4
reported and ordered to third reading.....	943-5
passed.....	990
returned from Senate.....	1122
reported enrolled.....	1136
notice of approval.....	1146
47. To amend section 15, of act number 169, of the session laws of 1869, entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon :"	
introduced by Mr. Copley and referred.....	112
reported and referred to committee of the whole.....	1381
reported and ordered to third reading.....	2017
lost.....	2104-5
48. To amend section six of an act entitled "An act to accept the grant of lands made to the State of Michigan by the United States to aid in the construction of a military road from Fort Wilkins, Copper Harbor, to the Wisconsin line, by way of Houghton, on Portage Lake, and to provide for the laying out and construction of the same," approved February 4, 1864 :	
introduced by Mr. Harris and referred.....	112-13
reported and referred to committee of the whole.....	308
reported, amended, and ordered to third reading.....	395-7
amended and passed.....	419-20
returned from Senate.....	1333
reported enrolled.....	1407
notice of approval.....	1885
49. To amend sections 58 and 107, of the session laws of 1869, approved April 8, 1869, being sections 2301 and 2350 of the compiled laws, entitled "Of primary schools :"	
introduced by Mr. Coulter and referred.....	113
reported and tabled.....	164
50. To provide for the payment of the officers and members of the Legislature for the year 1871 :	
introduced by Mr. Holt and referred.....	125
reported and referred to committee of the whole.....	131
reported and ordered to third reading.....	157
passed.....	158
returned from Senate.....	216
reported enrolled.....	256
notice of approval.....	298

INDEX.

2651

PAGE.

HOUSE BILLS:

51. To amend sections 1 and 6, of act number 406, of the session laws of 1869, approved April 2, 1869, being an act appropriating certain non-resident highway taxes to aid in constructing a ditch or drain from a point on Elk creek, in the county of Sanilac, to a point on the Lexington and Lapeer State road, in Sanilac county:
introduced by Mr. Thayer and referred..... 125
reported and referred to committee of the whole..... 189-90
reported and ordered to third reading..... 235-6
passed..... 280
returned from Senate..... 604
reported enrolled..... 687
notice of approval..... 844
52. To amend sections 2, 4, 5, 6, and 20, of an act entitled "An act to provide for the incorporation of savings associations," approved April 3, 1869, to repeal section 21 of said act, and to add five new sections thereto, to stand as sections 21, 22, 23, 24 and 25:
introduced by Mr. Huff and referred..... 125
reported and tabled..... 902
53. To protect the people of the State of Michigan from empiricism and imposition in the practice of medicine and surgery:
introduced by Mr. Swineford and referred..... 125
reported and referred to committee of the whole..... 261
reported and ordered to third reading..... 436
passed..... 461-2
54. To amend an act entitled "An act to amend an act to provide for the registration of births, marriages, and deaths," being act No. 194, of the session laws of 1867, and to add a new section thereto, approved March 27th, 1867, being act No. 125, of the session laws of 1869, approved April 3, 1869:
introduced by Mr. Brockway and referred..... 182
reported and referred to committee of the whole..... 211
reported, all after enacting clause stricken out, and enacting clause tabled..... 297
55. To amend section 18, of act 169, of the session laws of 1869, being "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon:"
introduced by Mr. J. M. Osborn and referred..... 182
reported and tabled..... 242
56. Appropriating ten sections of State swamp land to secure the opening and construction of that part of the Bridgeport and Forrestville State road between Vassar and the village of Wahjemega, Tuscola county, Michigan:
introduced by Mr. Huston and referred..... 182
reported and referred to committee of the whole..... 958-9
reported and ordered to third reading..... 1576
passed..... 1675
57. To amend section 124, of act 169, of the session laws of 1869, entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 9, 1869:
introduced by Mr. Grosvenor and referred..... 148
reported and referred to committee of the whole..... 1494
reported and ordered to third reading..... 2216
passed..... 2288
reconsidered and tabled..... 2286
taken from table and recommitted..... 2418
reported and passed..... 2438

HOUSE BILLS:

58. To provide for the filing and recording notice of the pendency of suits at law, where the title to real estate is in issue or to be affected:	
introduced by Mr. Hoyt and referred.....	149
reported and referred to committee of the whole.....	1141-3
reported and ordered to third reading.....	1599
passed.....	1720
59. To authorize the election of a township drain commissioner in each organized town, and to authorize them to locate, establish, and construct ditches, drains, and water-courses in their respective towns, and to repeal all other drainage laws in relation thereto:	
introduced by Mr. Grosvenor and referred.....	149
reported and referred to committee of the whole.....	242
committee of the whole discharged from, and made special order.....	652
reported, and leave granted to sit again.....	908
reported and ordered to third reading.....	920-3
amended and passed.....	967-9
returned from Senate.....	2008
reported enrolled.....	2185
notice of approval.....	2495
60. To amend act number 267, of the session laws of 1869, being an act entitled "An act to amend act number 397, of the session laws of A. D. 1867, entitled 'An act to amend act number 301 of the session laws of 1865,' being an act entitled 'An act to regulate the tolls on plank roads in Bay, Clinton, Gratiot, and Saginaw counties: '"	
introduced by Mr. Huston and referred.....	149
reported and referred to committee of the whole.....	190
reported and ordered to third reading.....	235-6
passed.....	261
returned from Senate amended.....	314
reported enrolled.....	900
vetoed.....	1099
61. To extend the time of the collection of certain ditch taxes extended and spread upon the tax-roll of the township of Novi, in the county of Oakland, and for the relief of the persons who have paid the highway ditch tax in said township, and to legalize the acts of the drainage commission of said county in the matter of ditches surveyed and laid out in said township, and the tax-roll of said township as to the said ditch taxes spread thereon:	
introduced by Mr. Andrews and referred.....	160-1
reported and referred to committee of the whole.....	165-6
reported and ordered to third reading.....	202-3
passed.....	221-3
returned from Senate.....	274
reported enrolled.....	347
vetoed and tabled.....	431-3
62. To organize the township of Springfield, in the counties of Kalkaska and Crawford:	
introduced by Mr. W. H. C. Mitchell and referred.....	166
reported and referred to committee of the whole.....	187-8
reported and ordered to third reading.....	234-6
passed, and title amended to "Kaska".....	259
returned from Senate.....	533
reported enrolled.....	561
notice of approval.....	633

HOUSE BILLS:

63. To amend section 7, of chapter 19, of the compiled laws, as amended by act number 71 of the session laws of 1869, relating to the duties of overseers of highways:	
introduced by Mr. Gorman and referred	168
reported and tabled	186
taken from table and referred to committee of the whole ..	516
reported and ordered to third reading	620-1
recommitted	649-50
reported and tabled	1279
taken from table and passed	1386-7
returned from Senate	2290
reported enrolled	2386
notice of approval	2409
64. For the more effectual prevention of cruelty to animals:	
introduced by Mr. Adam and referred	168
reported and referred to committee of the whole	261
committee of the whole discharged from and recommitted, 470-1	
reported and referred to committee of the whole	490
reported and re-referred	621-2
reported and ordered to third reading	1242
passed	1267
returned from Senate	2469
reported enrolled	2555
notice of approval	2564
65. To incorporate the Michigan Society for the Prevention of Cruelty to Animals:	
introduced by Mr. Adam and referred	168
reported and tabled	1328
66. To repeal act number 76, of the laws of 1867, approved March 21, 1867, entitled "An act to provide for the appointment of a commissioner to be known as the Swamp Land State Road Commissioner:"	
introduced by Mr. Barnaby and referred	169
reported and ordered to third reading	1884
passed	1917
67. To amend section five of an act entitled "An act to authorize the formation of corporations for the running, booming, and rafting of logs," approved February 4, 1864:	
introduced by Mr. Holt and referred	169
reported and referred to committee of the whole	351
reported and ordered to third reading	474-5
passed	508
returned from Senate	692
reported enrolled	808
notice of approval	961
68. To prevent hounding of deer:	
introduced by Mr. Huston and referred	169
reported and referred to committee of the whole	243-4
reported and ordered to third reading	265-6
passed	298
69. To provide for the construction of a State road from Bad Axe, in Huron county, to a point in town twelve north, of range twelve east, in Sanilac county:	
introduced by Mr. Thayer and referred	169
reported and referred to committee of the whole	1490-1
reported and ordered to third reading	2064
tabled	2114

	PAGE.
HOUSE BILLS:	
70. To organize the township of Forrest, in the county of Muskegon:	
introduced by Mr. Holt and referred.....	169
reported and referred to committee of the whole.....	187
reported and ordered to third reading.....	234-6
tabled.....	249
taken from table, passed, and title amended to "Holton,"	1523-4
returned from Senate.....	1664
reported enrolled.....	1710
notice of approval.....	1823
71. To amend an act entitled "An act to authorize the improvement of Fort street, in the township of Springwells, and to provide for the maintenance thereof:"	
introduced by Mr. Cochrane and referred.....	169-70
reported and referred to committee of the whole.....	917
reported and ordered to third reading.....	1538
passed.....	1623-4
returned from Senate.....	1958
reported enrolled.....	2034
notice of approval.....	2085
72. To authorize the city of Owosso to raise money to construct a court-house and jail for the county of Shiawassee:	
introduced by Mr. C. Y. Osburn and referred.....	170
reported and referred to committee of the whole.....	185
reported and ordered to third reading.....	234-6
tabled.....	248-9
taken from table and passed.....	471
returned from Senate.....	1289, 1331
reported enrolled.....	1406
notice of approval.....	1561
73. Making appropriation for the support of the State Agricultural College, to pay the arrearages of the same, to pay the expenses of the State Board of Agriculture, and for the erection of a chemical laboratory for the State Agricultural College:	
reported by committee on Agricultural College and referred to committee of the whole.....	183-4
reported and ordered to third reading.....	327-8
passed.....	356
returned from Senate.....	760
reported enrolled.....	809
notice of approval.....	962
74. To amend sections 5756 and 5758 of the compiled laws, being sections 12 and 14, of chapter 181, relative to offenses against property:	
reported by the committee on judiciary and referred to committee of the whole.....	189
reported and recommitteed.....	235-6
75. To lay out and establish a swamp land State road from Seuil-Cholz harbor (section fifteen, town forty-one north, range thirteen west) on the most eligible route to Grand Island harbor (section nineteen, town forty-seven north, range nineteen west), and appropriating swamp lands for the construction of the same:	
introduced by Mr. Swineford and referred.....	196
reported and referred to committee of the whole.....	589
reported and ordered to third reading.....	941
passed.....	975

HOUSE BILLS :

75. To lay out and establish a swamp land State road from Seuil-Choix harbor (section fifteen, town forty-one north, range thirteen west) on the most eligible route to Grand Island harbor (section nineteen, town forty-seven north, range nineteen west), and appropriating swamp lands for the construction of the same :
 returned from Senate..... 1648
 reported enrolled..... 1711
 notice of approval..... 2565
76. To provide for the appointment of inspectors of stationary and portable boilers and steam generators, and prescribing the duties of the same :
 introduced by Mr. Greusel and referred..... 196
 reported and referred to committee of the whole..... 682
 reported and ordered to third reading..... 1019
 lost..... 1058-9
 reconsidered and tabled..... 1094
 taken from table and indefinitely postponed..... 1528
77. To amend " An act to incorporate the village of Manchester," approved March 16, 1867 :
 introduced by Mr. Childs and referred..... 196-7
 reported and referred to committee of the whole..... 1042-3
 reported and ordered to third reading..... 1577
 amended and passed..... 1683-4
 returned from Senate..... 1714
 reported enrolled..... 1800
 notice of approval..... 1885
78. To legalize the first charter election held in the village of Plainwell, on the 29th day of March, A. D. 1869, also the acts of the village board, assessor, and marshal of said village of Plainwell for the years 1870 and 1871 :
 introduced by Mr. Watkins and referred..... 197
 reported and referred to committee of the whole..... 214
 reported and ordered to third reading..... 255
 passed..... 288
 returned from Senate..... 390
 reported enrolled..... 398
 vetoed and tabled..... 429-30
79. To incorporate the village of Linden :
 introduced by Mr. Moshier and referred..... 197
 reported and referred to committee of the whole..... 316
 committee of whole discharged from and recommitted..... 436
 reported and ordered to third reading..... 526
 passed..... 539
 returned from Senate..... 784
 reported enrolled..... 928
 notice of approval..... 1099
80. To incorporate the village of Ludington :
 introduced by Mr. W. H. C. Mitchell and referred..... 197
 reported and tabled..... 528
81. To amend act No. 242 of the session laws of 1869, entitled " An act granting the right of way through lands owned by the State for a railroad in Menominee county :"
 introduced by Mr. Swineford and referred..... 197
 reported and tabled..... 1281

HOUSE BILLS:

82. To repeal that part of act No. 100, of session laws of 1865, being an act to provide for the drainage and reclamation of swamp lands, by means of a road, to be known as the Cass River and Wild Fowl Bay State road:	
introduced by Mr. Huston and referred.....	196
reported and tabled.....	260
83. To aid in the construction of that part of the Cass river and Bay City State road, established under act No. 345, of the laws of 1865, between the forks of Cass river and Unionville, in Tuscola county, and making an appropriation of swamp land therefor:	
introduced by Mr. Huston and referred.....	196
substitute reported for and referred to committee of the whole.....	259-60
reported and ordered to third reading.....	395
passed.....	417-18
returned from Senate.....	605
reported enrolled.....	637
notice of approval.....	844
84. To amend section 2, of act number 399, of the session laws of 1867, entitled "An act to provide for laying out and establishing a State road from Clio, in Genesee county, to Chesaning in Saginaw county, and to appropriate certain non-resident highway taxes to aid in the construction of the same: "	
introduced by Mr. Phillips and referred.....	196
reported and referred to committee of the whole.....	243
reported and ordered to third reading.....	265
passed.....	293
returned from Senate.....	553
reported enrolled.....	561
notice of approval.....	622
85. To amend section 3617 of the compiled laws, in relation to taking depositions to be used in probate courts, and the commissioners appointed by such courts:	
reported by the committee on the judiciary and referred to committee of the whole.....	212
reported and ordered to third reading.....	257
amended and passed with title amended.....	287
returned from Senate.....	453
reported enrolled.....	496
notice of approval.....	622
86. To amend section 3866 of the compiled laws, in regard to sureties in appeal bonds:	
reported by committee on judiciary and referred to committee of the whole.....	212
reported and ordered to third reading.....	255
passed and title amended.....	284
returned from Senate amended.....	600
reported enrolled.....	637
notice of approval.....	844
87. To provide for the pleadings and notice in actions on bills of exchange and promissory notes:	
reported by the committee on judiciary and referred to committee of the whole.....	212-13
reported and ordered to third reading.....	255
passed.....	269

INDEX.

2657

	PAGE.
HOUSE BILLS:	
88. To amend section 5, of chapter 23, of the revised statutes of 1846, being section 1017 of the compiled laws :	
introduced by Mr. Phillips and referred.....	219
reported and referred to committee of the whole.....	248
reported and ordered to third reading.....	265
passed and title amended.....	291
returned from Senate.....	1051
reported enrolled.....	1119
notice of approval.....	1146
89. To amend the charter of the village of Nashville, by adding three new sections thereto, to stand as sections 65, 66, and 67 :	
introduced by Mr. R. J. Grant and referred.....	211
reported and referred to committee of the whole.....	316
reported and ordered to third reading.....	437-8
passed and title amended.....	465-6
returned from Senate.....	608
reported enrolled.....	637
notice of approval.....	844
90. To amend section 5, of chapter 23, of the revised statutes of 1846, being section 1017, of chapter 20, of the compiled laws, entitled " Of persons liable to work on the highways, and making assessments therefor : "	
introduced by Mr. Green and referred.....	219
reported and tabled.....	309
returned from Senate amended, amendments concurred in,	1051
reported enrolled.....	1119
notice of approval.....	1146
91. To amend sections 5, 7, 8, 9, 10, 16, 28, 32, 33, 37, 38, 40, 42, 48, 50, 54, 59, 67, 70, 93, and 95 of an act entitled " An act for the reorganization of the military forces of the State of Michigan, " being act number 16, of the session laws of 1862, approved January 18, 1862 ; to repeal sections 21 and 31 of said act, and to add thereto six new sections, to stand as sections number 97, 98, 99, 100, 101, and 102 :	
introduced by Mr. C. B. Grant and referred.....	220
reported and referred to committee of the whole.....	447-9
reported and ordered to third reading.....	906
made special order.....	963
reported and passed.....	1023-8
reconsidered.....	1106-7
returned from Senate and tabled.....	1123
taken from table and made special order.....	1123-4
recommitted, reported, lost, reconsidered, and tabled.....	1217-22
92. To extend the time for the collection of taxes in the township of Lincoln, Osceola county :	
introduced by Mr. Gray and ordered to third reading.....	220
tabled.....	224
taken from table and recommitted.....	950
substitute reported for, and passed, with title amended so as to read, " A bill to extend the time for the collection of taxes in the city of Flint, for the year 1870 ".....	956-7
returned from Senate.....	963
reported enrolled.....	985
notice of approval.....	1046

	Page.
HOUSE BILLS:	
93. To provide for the levying and collecting of a school tax in fractional school district number one, in the townships of Barry and Prairieville, in the county of Barry:	
introduced by Mr. Cherry and referred.....	220
reported and referred to committee of the whole.....	241
reported and ordered to third reading.....	265
passed.....	290
returned from Senate.....	845
reported enrolled.....	922
notice of approval.....	1147
94. To organize the township of Forsyth, in the county of Marquette:	
introduced by Mr. Swineford and referred.....	220
reported and referred to committee of the whole.....	244
reported and ordered to third reading.....	265
passed.....	294-5
reconsidered and recommitted.....	296
reported and passed.....	341-2
returned from Senate.....	533
reported enrolled.....	561
notice of approval.....	622
95. To amend sections 4, 14, 20, 27, and 51 of an act entitled "An act to revise and amend the charter of the city of Saginaw," approved February 5, 1859, as amended by act number 496, of the session laws of 1867:	
introduced by Mr. Little and referred.....	220
reported and referred to committee of the whole.....	595
reported and ordered to third reading.....	993
passed.....	1003
returned from Senate.....	1396
reported enrolled.....	1497
notice of approval.....	1562
96. To amend sections 4, 11, 14, 20, 26, and 29, of act No. 43, of the laws of 1869, being an act to provide for the draining of swamps, marshes, and other low lands, approved March 22, 1869:	
introduced by Mr. Copley and referred.....	221
reported and referred to committee of the whole.....	626
committee of the whole discharged from, and made special order.....	653
reported and leave granted committee to sit again.....	906
reported and referred to special committee.....	920-2
reported amended and referred to committee of the whole.....	1245
reported and ordered to third reading.....	1357
passed.....	1876
returned from Senate.....	2394
reported enrolled.....	2551
notice of approval.....	2560
97. To incorporate the village of Vassar, Tuscola county:	
introduced by Mr. Huston and referred.....	221
reported and referred to committee of the whole.....	311
reported and ordered to third reading.....	395
tabled.....	423
taken from table and recommitted.....	434-5
reported and ordered to third reading.....	487-8
passed.....	512

INDEX.

2659

	PAGE.
HOUSE BILLS:	
97. To incorporate the village of Vassar, Tuscola county :	
returned from Senate.....	639-40
reported enrolled.....	808
notice of approval.....	1045
98. To incorporate the village of Caro, in the county of Tuscola :	
introduced by Mr. Huston and referred.....	
reported and passed.....	809-10
returned from Senate.....	592
reported enrolled.....	686
notice of approval.....	844
99. To incorporate the village of Grand Ledge :	
introduced by Mr. Montgomery and referred.....	281
reported and referred to committee of the whole.....	1084-5
reported and ordered to third reading.....	1535-6
passed.....	1572-3
returned from Senate.....	2015
reported enrolled.....	2185
notice of approval.....	2375
100. To amend sections 5 and 6, of chapter 31, being sections 1264 and 1265 of the compiled laws, relative to bills of exchange and promissory notes :	
introduced by Mr. Bates and referred.....	246
reported and referred to committee of the whole.....	959
reported and all after enacting clause stricken out, and enacting clause tabled.....	1839
101. To incorporate the city of Marquette :	
introduced by Mr. Swineford and referred.....	246
reported and ordered to third reading.....	313
passed.....	323
returned from Senate.....	688
reported enrolled.....	808
notice of approval.....	963
102. To incorporate the village of Ishpeming, in the county of Marquette :	
introduced by Mr. Swineford and referred.....	246
reported and referred to committee of the whole.....	313
committee of the whole discharged from, and recommitted,.....	518
reported and ordered to third reading.....	525
passed.....	538
returned from Senate.....	848
reported enrolled.....	1089
notice of approval.....	1146
103. To provide for the better security of mechanics and other persons furnishing labor or materials for the erection, altering, repairing, beautifying, or ornamenting of buildings in the State of Michigan :	
introduced by Mr. Adsit and referred.....	246
reported and referred to committee of the whole.....	449-50
reported and referred to committee on judiciary.....	659-61
reported and referred to committee of the whole.....	2244
reported and ordered to third reading.....	2424
passed and ordered printed.....	2459
returned from Senate.....	2548
reported enrolled.....	2555
notice of approval.....	2567

HOUSE BILLS:

104. To authorize the board of supervisors of Alpena county to levy a tax upon the county of Alpena to encourage immigration :	
introduced by Mr. J. Haynes and referred	246
reported and referred to committee of the whole.....	271
reported and recommitted	437-8
105. To legalize the tax-roll of the township of Osseneke, in the county of Alpena, for the year 1870 :	
introduced by Mr. J. Haynes and referred	246
reported and referred to committee of the whole.....	309
committee of whole discharged from and ordered to third reading.....	396
tabled	415
106. To legalize the tax-roll for the unorganized territory attached to the county of Alpena, for the year 1870 :	
introduced by Mr. J. Haynes and referred	247
reported and referred to committee of the whole.....	260-1
committee of the whole discharged from and passed	359
107. To organize the union school district of the township of Rogers, in the county of Alpena :	
introduced by Mr. J. Haynes and referred	247
reported and referred to committee of the whole.....	631
reported and ordered to third reading.....	994-5
recommitted	1004
reported and lost.....	1229-30
reconsidered and recommitted.....	1295
reported and passed	1519-20
returned from Senate.....	1824
reported enrolled.....	1939
notice of approval.....	
108. To organize the union school district of the township of Osseneke, in the county of Alpena :	
introduced by Mr. J. Haynes and referred	247
reported and referred to committee of the whole.....	632
reported and ordered to third reading.....	994-5
recommitted	1005
reported and lost.....	1990
109. For laying out and establishing the Almer and Fair Grove State road, and making an appropriation of non-resident highway tax for the construction of the same :	
introduced by Mr. Huston and referred	263
reported and referred to committee of the whole.....	491
reported and ordered to third reading.....	620
passed	648
returned from Senate.....	848
reported enrolled.....	923
notice of approval.....	1147
110. To amend sections 1, 12, and 16, chapter 5; section 1, of chapter 7, and section 8, of chapter 8, of an act entitled "An act to incorporate the city of Corunna," approved March 12, 1869 :	
introduced by Mr. Garrison and referred	264
reported and referred to committee of the whole	815
reported and ordered to third reading.....	437-9
passed	464
returned from Senate.....	605
reported enrolled	741
notice of approval.....	845

HOUSE BILLS:

111. To amend section 59, of chapter 14, of the revised statutes of 1846, being section 399, of chapter 10, of the compiled laws, entitled "Of county officers :"
introduced by Mr. Coulter and referred..... 264
reported and referred to committee of the whole..... 349
reported and ordered to third reading.....578-9
lost.....612-13
112. To amend section 3, of chapter 77, of the revised statutes of 1846, the same being section 3041 of the compiled laws, relating to the sale of lands for the payment of debts by executors, administrators, and guardians :
introduced by Mr. Hurlbut and referred 264
reported and referred to committee of the whole.....344-5
reported and ordered to third reading.....437-9
passed 468
returned from Senate..... 598
reported enrolled..... 637
notice of approval..... 844
113. To amend section 39, of chapter 91, of the revised statutes of 1846, the same being section 3645, of chapter 116, of the compiled laws, relating to probate courts :
introduced by Mr. Hurlbut and referred..... 264
reported and referred to committee of the whole..... 345
reported and ordered to third reading.....438-9
passed 469
returned from Senate..... 598
reported enrolled..... 637
notice of approval..... 844
114. To repeal section 8, of chapter 69, and section 13, of chapter 70, of the revised statutes of 1846, the same being sections 2871 and 2889 of the compiled laws, relating to the rights of married women :
introduced by Mr. Hurlbut and referred..... 264
reported and referred to committee of the whole..... 1189
reported and ordered to third reading..... 1599
passed 1689
115. To provide for the construction of a bridge across the Aux Bec Scies Lake, in Benzie county, at the point where the Manistee and Leland State road crosses said lake, and making an appropriation of swamp land to construct said bridge :
introduced by Mr. W. H. C. Mitchell and referred..... 276
reported and referred to committee of the whole..... 1496
reported and ordered to third reading..... 2119
recommitted..... 2125
reported and tabled..... 2541
116. To amend section one, act No. 467, of the laws of 1869, entitled "An act to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches from Tawas Bay, in Iosco county, to the west line of said county, to the intersection of the Midland and Traverse Bay State road :"
introduced by Mr. J. Haynes and referred..... 276
reported and referred to committee of the whole..... 1498
reported and recommitted 2118
reported and referred to committee of the whole..... 2145
reported and ordered to third reading..... 2405
passed 2443

HOUSE BILLS:

116. To amend section one, act No. 467, of the laws of 1869, entitled "An act to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches from Tawas Bay, in Iosco county, to the west line of said county, to the intersection of the Midland and Traverse Bay State road :"	
returned from Senate.....	2525
reported enrolled.....	2558
notice of approval.....	2564
117. To lay out and establish a State road in the counties of Schoolcraft and Marquette, to be known as the "Sault Ste. Marie and Grand Island State road extension," and to provide for the construction of the same :	
introduced by Mr. Swineford and referred.....	277
reported and referred to committee of the whole.....	588-9
reported and ordered to third reading.....	941-2
passed.....	976-7
returned from Senate.....	1564
reported enrolled.....	1610
notice of approval.....	2565
118. To organize the county of Clare and to locate the county seat thereof :	
introduced by Mr. Bates and referred.....	277
reported and referred to committee of the whole.....	679
reported and ordered to third reading.....	1019-22
passed.....	1054
returned from Senate.....	1316
reported enrolled.....	1406
notice of approval.....	1559
119. To amend sections 10 and 11, and to repeal section 12, of chapter 166, of the compiled laws, being chapter 141, of the revised statutes of 1846, entitled "Of the punishment of fraudulent debtors :"	
introduced by Mr. Houseman and referred.....	277
reported and tabled.....	344
120. To amend section 5645 of the compiled laws, being section 10, of chapter 175, relative to the fees of witnesses :	
introduced by Mr. Dalton and referred.....	277
reported and tabled.....	343
121. To authorize the trustees of the Bridge Street Methodist Episcopal church of Grand Rapids, Kent county, to sell and convey certain real estate :	
introduced by Mr. Houseman and referred.....	277
reported and tabled.....	303
taken from table and referred to committee of the whole.....	393-4
reported and ordered to third reading.....	474-5
passed.....	509
returned from Senate.....	693
reported enrolled.....	806
notice of approval.....	962
122. To authorize "The Oakland County Agricultural Society" to issue bonds and to mortgage its real and personal estate to secure the same :	
introduced by Mr. Andrews and referred.....	278
reported and passed.....	314
returned from Senate.....	352
reported enrolled.....	380
notice of approval.....	429

HOUSE BILLS:

PAGE.

123. To change the name of the Spring Lake Salt Company, of Spring Lake, in the county of Ottawa, to that of the "Magnetic Mineral Spring Company," of Spring Lake, Michigan:	
introduced by Mr. Adsit and referred.....	278
reported and referred to committee of the whole.....	341
reported and ordered to third reading.....	437-9
passed.....	467
returned from Senate.....	759
reported enrolled.....	808
notice of approval.....	962
124. To amend sections 4773, 4774, 4775, and 4776, of the compiled laws, relating to proceedings against debtors by attachment:	
introduced by Mr. Gillam and referred.....	278
reported and tabled.....	344
125. To lay out and establish a State road from Beechville, in the county of Lapeer, to the town of Marathon in said county, and making an appropriation of swamp land therefor:	
introduced by Mr. Lamb and referred.....	278-9
reported and referred to committee of the whole.....	1491-2
reported and ordered to third reading.....	2054
tabled.....	2114
126. To organize the township of Riverside, in the unorganized county of Missaukee:	
introduced by Mr. W. H. C. Mitchell and referred.....	321
reported and referred to committee of the whole.....	385
reported and ordered to third reading.....	475-6
passed.....	505
returned from Senate.....	693
reported enrolled.....	808
notice of approval.....	961
127. To organize the township of Clam Union, in the unorganized county of Missaukee:	
introduced by Mr. W. H. C. Mitchell and referred.....	321
reported and referred to committee of the whole.....	385
reported and ordered to third reading.....	474-5
passed.....	505
returned from Senate.....	693
reported enrolled.....	808
notice of approval.....	962
128. To organize the township of Henderson, in the county of Wexford:	
introduced by Mr. W. H. C. Mitchell and referred.....	321
reported and referred to committee of the whole.....	384
reported and ordered to third reading.....	474-5
passed.....	508
returned from Senate.....	1664
reported enrolled.....	1710
notice of approval.....	1823
129. To detach certain territory from the county of Saginaw and attach the same to the county of Bay:	
introduced by Mr. Bates and referred.....	321
reported and tabled.....	488
taken from table and referred to committee of the whole..	516
reported and re-referred.....	620-1
reported and tabled.....	1076
taken from table and referred to committee of the whole..	1124
reported and ordered to third reading.....	1843
passed.....	1863-4

	PAGE.
HOUSE BILLS :	
129. To detach certain territory from the county of Saginaw and attach the same to the county of Bay :	
returned from Senate.....	2435
reported enrolled.....	2552
notice of approval.....	2561
180. To organize the county of Lake :	
introduced by Mr. Gray and referred.....	321
reported and referred to committee of the whole.....	527
reported and recommitted.....	661-2
reported and ordered to third reading.....	915
passed.....	969
returned from Senate.....	1316
reported enrolled.....	1457
notice of approval.....	1560
181. To repeal act number 402, of the session laws of 1869, entitled "An act to provide for laying out and establishing a State road in the counties of Macomb and St. Clair :"	
introduced by Mr. Minne and referred.....	321
reported and referred to committee of the whole.....	491
reported and ordered to third reading.....	620-1
tabled.....	649
taken from table and passed.....	774
returned from Senate.....	1887
reported enrolled.....	1945
notice of approval.....	2084
182. To repeal act number 112 of the session laws of 1848, entitled "An act to authorize Peter M. Kinde to build a dam across Grand river :"	
introduced by Mr. Montgomery and referred.....	322
reported and referred to committee of the whole.....	450-1
reported and ordered to third reading.....	579
passed.....	614
returned from Senate.....	759
reported enrolled.....	808
notice of approval.....	962
183. To amend section 3, of chapter 25, of the revised statutes of 1846, being section 1069, of chapter 22, of the compiled laws, relating to highways :	
introduced by Mr. C. Y. Osborn and referred.....	322
reported and referred to committee of the whole.....	999
reported and ordered to third reading.....	1577-8
passed.....	1676
reconsidered and recommitted.....	1693
substitute reported for adopted, tabled and ordered printed.....	1938
taken from table and referred to committee of the whole.....	2373
reported and ordered to third reading.....	2423
lost.....	2481
184. To incorporate the village of Homer :	
introduced by Mr. Brockway and referred to committee of the whole.....	322
reported and ordered to third reading.....	578-9
recommitted.....	612
reported and passed.....	685
returned from Senate.....	849
reported enrolled.....	968
notice of approval.....	1146

HOUSE BILLS:

135. To amend an act entitled "An act to incorporate the village of Plainwell, in the county of Allegan," approved March 26, 1869:	
introduced by Mr. Watkins and referred.....	322
reported and referred to committee of the whole.....	528
reported and ordered to third reading.....	660-1
passed.....	717-18
returned from Senate.....	848
reported enrolled.....	928
notice of approval.....	1147
136. To amend section 2149, of chapter 73, of the compiled laws of the State of Michigan, entitled "General provisions relating to corporations:"	
introduced by Mr. Montgomery and referred.....	323
reported and referred to committee of the whole.....	1241
reported and ordered to third reading.....	1933
passed and title amended.....	1963
returned from Senate.....	2154
reported enrolled.....	2186
notice of approval.....	2376
137. To incorporate the city of Greenville:	
introduced by Mr. R. C. Miller and referred.....	323
reported and referred to committee of the whole.....	383-4
reported and recommitted.....	475
reported and ordered to third reading.....	487
passed.....	514
reconsidered and tabled.....	545
taken from table and recommitted.....	773
reported, amended, and passed.....	903-4
returned from Senate amended, amendments concurred in.....	1046-7
reported enrolled.....	1236
notice of approval.....	1313
138. To provide for the uniform assessment of property, and for the collection and return of taxes thereon; and to repeal act number 169 of the session laws of 1869, entitled "An act to provide for uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869:	
introduced by Mr. Hurlbut and referred.....	354
reported and referred to committee of the whole.....	387
committee of the whole discharged from, and re-referred..	518
reported and made special order.....	1548-9
consideration of, postponed.....	1615
considered in committee of the whole.....	1626-7
committee of the whole discharged from, and tabled.....	1628-9
taken from table and referred to special committee.....	1734
reported and passed.....	1969-70
139. To extend the time for the collection of taxes in the township of Hamtramck, in the county of Wayne:	
introduced by Mr. Dalton and passed.....	354-5
returned from Senate.....	390
reported enrolled.....	398
notice of approval.....	429

HOUSE BILLS :	PAGE.
140. To amend section 27 of an act entitled "An act to provide for the uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869 : introduced by Mr. Garfield and referred.....	355
reported and tabled.....	529
taken from table and referred to committee of the whole...	1818
reported and ordered to third reading	1861
lost.....	1910
141. To provide for the laying out, establishing, and construction of the Wahjamega and Sebewaing State road, and making an appropriation of non-resident highway taxes for the same : introduced by Mr. Huston and referred.....	355
reported and referred to committee of the whole	631
reported and ordered to third reading.....	944-5
passed.....	987
returned from Senate.....	1503
reported enrolled.....	1610
notice of approval.....	2037
142. To organize the county of Missaukee : introduced by Mr. W. H. C. Mitchell and referred.....	855
reported and referred to committee of the whole.....	885
reported and ordered to third reading.....	474-5
passed.....	507
returned from Senate amended.....	1016
reported enrolled.....	1040
notice of approval.....	1388
143. To extend the time for the collection of taxes in the township of Wayland, county of Allegan, until March 15, 1871 : introduced by Mr. Watkins and passed.....	391-2
returned from Senate.....	552
reported enrolled.....	561
notice of approval.....	623
144. To amend the charter of the city of Pontiac : introduced by Mr. White and referred.....	392
reported and referred to committee of the whole.....	562
reported and ordered to third reading.....	660
passed.....	722
returned from Senate.....	848
reported enrolled.....	958
notice of approval.....	1146
145. To incorporate the village of Grass Lake, in the county of Jackson ; introduced by Mr. Clement and referred.....	392
reported and referred to committee of the whole.....	1379
committee of the whole discharged from, and passed	1630-1
returned from Senate.....	1827
reported enrolled.....	1939
notice of approval.....	2083
146. To provide for the laying out, establishing, and constructing a State road in the county of Montcalm, and appropriating certain non-resident highway taxes therefor : introduced by Mr. Gray and referred.....	392
reported and referred to committee of the whole.....	529-30
reported and ordered to third reading.....	661-2
passed.....	719-20
returned from Senate.....	848
reported enrolled.....	928
notice of approval.....	1147

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HOUSE BILLS:

147. To vacate the township of Sibley, in the county of Keweenaw, and attach the same to the township of Copper Harbor, in said county:	
introduced by Mr. S. W. Hill and referred.....	393
reported and referred to committee of the whole.....	598
reported and ordered to third reading.....	943
passed.....	978-9
returned from Senate.....	1394
reported enrolled.....	1497
notice of approval.....	1561
148. To change the name of the Fort street and Elmwood Railway Company:	
introduced by Mr. Hoyt and referred.....	393
reported and referred to committee of the whole.....	565
reported and ordered to third reading.....	661-2
passed.....	725
returned from Senate.....	1015
reported enrolled.....	1040
notice of approval.....	1146
149. To facilitate the collection of judgments:	
introduced by Mr. Hoyt and referred.....	393
reported and tabled.....	1141
150. In addition to the acts relating to the Detroit House of Correction, and to prevent crime by the restraint and reformation of offenders:	
introduced by Mr. Hoyt and referred.....	393
reported and referred to committee of the whole.....	494
reported and ordered to third reading.....	1535-6
lost, reconsidered, and tabled.....	1614-15
151. To authorize the city of Monroe, in the county of Monroe, to borrow money for bridge purposes within said city, and to issue bonds therefor:	
introduced by Mr. Grosvenor and referred.....	414
reported and referred to committee of the whole.....	633
reported and ordered to third reading.....	943
tabled.....	990
taken from table and passed.....	1188
returned from Senate.....	2381
reported enrolled.....	2501
notice of approval.....	2560
152. To amend section 10 of the act to establish a house of correction for juvenile offenders, approved March 16, 1861, which section of said act was amended by act number 130, of the session laws of 1867, approved March 27, 1867:	
introduced by Mr. Hart and referred.....	414
reported and tabled.....	1039
153. For the improvement of the sanitary condition of the people of the State of Michigan, by the drainage of swamps, marshes, and other low lands;	
introduced by Mr. Adsit and referred.....	314
reported and referred to committee of the whole.....	488-9
committee of the whole discharged from and made special order.....	652-3
reported with leave granted committee to sit again.....	908
reported and referred to special committee.....	920-3
reported and referred to committee of the whole.....	1245
reported and tabled.....	1844

	Page.
HOUSE BILLS:	
154. To amend section one, of act number 246, of the session laws of 1869, entitled "An act to incorporate the village of Saranac, in Ionia county," approved March 4, 1869:	
introduced by Mr. Kellogg and referred.....	314
reported and referred to committee of the whole.....	1042
reported and ordered to third reading.....	1841-3
passed.....	1510
155. To amend section 5651 of the compiled laws, as amended by act number 69, of the session laws of 1863, in relation to fees of justices of the peace in civil cases:	
introduced by Mr. Holt and referred.....	314-15
156. To incorporate the village of Cedar Springs, in the county of Kent, State of Michigan:	
introduced by Mr. N. R. Hill and referred.....	315
reported and referred to committee of the whole.....	682
reported and ordered to third reading.....	943
passed.....	988
returned from Senate.....	1332-3
reported enrolled.....	1497
notice of approval.....	1591
157. To change the name of the township of Thorp, in Wexford county, to Salina:	
introduced by Mr. W. H. C. Mitchell and referred.....	457
reported and referred to committee of the whole.....	590
reported and ordered to third reading.....	943-5
passed.....	978
returned from Senate.....	1088
reported enrolled.....	1119
notice of approval.....	1146
158. To amend section 5, of chapter 58, of the compiled laws of 1857, in relation to charitable societies:	
introduced by Mr. Barnaby and referred.....	457
reported and referred to committee of the whole.....	561-2
reported and ordered to third reading.....	660-2
passed.....	721
returned from Senate.....	1015
reported enrolled.....	1040
notice of approval.....	1146
159. To authorize the township of Delhi, in the county of Ingham, to raise by tax a sum of money to aid in draining a certain swamp in said township:	
introduced by Mr. Hart and referred.....	457
reported and referred to committee of the whole.....	682-3
reported and ordered to third reading.....	1019
passed.....	1057
returned from Senate.....	1399
reported enrolled.....	1497
notice of approval.....	1561
160. To facilitate the business of circuit court commissioners, and to repeal act No. 6, of the session laws of 1869, approved January 13, 1859:	
introduced by Mr. Hoyt and referred.....	457
reported and referred to committee of the whole.....	1940-1
reported and ordered to third reading.....	2220
passed.....	2335-6
returned from Senate.....	2512-13
reported enrolled.....	2554
notice of approval.....	2563

INDEX.

2669

PAGE.

HOUSE BILLS:

161. To amend section one of an act entitled "An act to revise and consolidate the several acts relating to the protection of game, and for the better preservation of elk, deer, birds, and wild fowl," approved April 3, 1860:
introduced by Mr. Hoyt and referred..... 457
reported and tabled..... 1282
162. To amend act number 162, of the session laws of 1867, entitled "An act relative to the imprisonment of parties in civil suits in certain cases," by striking out section 3, and adding two new sections, to stand as sections 3 and 4:
introduced by Mr. Hoyt and referred..... 458
reported and referred to committee of the whole 1141
reported and ordered to third reading..... 1597-1601
passed 1691
returned from Senate..... 1890
reported enrolled 1945
notice of approval..... 2083
163. To provide for an insurance on the State library:
introduced by Mr. Hazen and referred..... 458
reported and referred to committee of the whole 526-7
reported and ordered to third reading..... 660-2
passed 716
returned from Senate..... 848
reported enrolled..... 923
notice of approval..... 1147
164. To provide for the organization of the county of Schoolcraft, and of two new townships therein:
introduced by Mr. Swineford and referred..... 458
reported and tabled..... 493-4
taken from table and referred to committee of the whole... 516
reported and referred to committee of the whole..... 747
reported and ordered to third reading..... 1126
passed 1160
returned from Senate..... 1665
reported enrolled 1711
notice of approval..... 1823
165. To amend section 27, chapter 141, of the compiled laws, as enacted by act number 160, of the session laws of 1861, relative to service of process on railroad corporations in garnishee cases:
introduced by Mr. Swineford and referred..... 459
reported and referred to committee of the whole..... 1454
reported and ordered to third reading..... 2055
recommitted..... 2108
reported and lost..... 2199
reconsidered and recommitted..... 2201
reported and passed..... 2273
166. To amend section 2, of chapter 140, being section 4743 of the compiled laws, relative to affidavits in proceedings by attachments:
introduced by Mr. Swineford and referred..... 459

	PAGE.
HOUSE BILLS:	
167. To amend section 17, of chapter 63, being section 1815 of the compiled laws, relative to the individual liability of stockholders in mining and manufacturing companies:	
introduced by Mr. Swineford and referred.....	459
reported and referred to committee of the whole.....	744
reported and ordered to third reading.....	1535-6
passed.....	1616
returned from Senate.....	2436
reported enrolled.....	2552
notice of approval.....	2561
168. To change the name of Sadie M. Sweet to Sadie M. Main, and to constitute her heir-at-law of Berton Main and Amelia Main:	
introduced by Mr. R. J. Grant and referred.....	459
reported and referred to committee of the whole.....	594
reported and ordered to third reading.....	943
passed.....	984
returned from Senate.....	1089
reported enrolled.....	1119
notice of approval.....	1146
169. To change the name of the First Congregational Society of Hastings to the First Presbyterian Society of Hastings:	
introduced by Mr. R. J. Grant and referred.....	459
reported and referred to committee of the whole.....	562
reported and ordered to third reading.....	660-2
passed.....	723
returned from Senate.....	1014
reported enrolled.....	1040
notice of approval.....	1146
170. To amend section one of an act to amend sections 1, 7, and 26, of an act to revise the charter of the village of Hastings, approved March 22, 1867, approved February 24, 1869:	
introduced by Mr. R. J. Grant and referred.....	459
reported and referred to committee of the whole.....	569
reported and ordered to third reading.....	660-2
tabled.....	724
taken from table and recommitted.....	1532
reported and passed, and title amended so as to read "To authorize the city of Hastings to issue bonds to raise money for the building of bridges".....	1612-13
returned from Senate.....	2190
reported enrolled.....	2297
vetoed and tabled.....	2409-11
171. To amend section 11, of act number 177, of the session laws of 1859, approved February 14, 1859, entitled "An act further to preserve the purity of elections, and guard against the abuses of the elective franchise, by a registration of electors:"	
introduced by Mr. Clement and referred.....	460
reported and referred to committee of the whole.....	900-1
reported and ordered to third reading.....	1133
passed.....	1177
returned from Senate and tabled.....	1594-5

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HOUSE BILLS:

172. To amend chapter 78 of the compiled laws, by adding certain sections to said chapter, to stand after section 73 therein as section 74, and after section 84, by adding sections 85, 86, 87, 88, 89, 90, and 91, and to repeal act number 55, of the session laws of 1867, being an act to provide for county superintendents of schools:
- | | |
|------------------------------------------------------|--------|
| introduced by Mr. Gillam and referred..... | 460 |
| reported and referred to committee of the whole..... | 950-5 |
| reported and ordered to third reading..... | 1578-9 |
| lost..... | 1681-2 |
173. To organize certain townships in the county of Lake:
- | | |
|---------------------------------------------------------------------------|------|
| introduced by Mr. Gray and referred..... | 460 |
| reported and referred to committee of the whole..... | 1129 |
| committee of the whole discharged from, and ordered to third reading..... | 1295 |
| passed..... | 1402 |
| returned from Senate..... | 1663 |
| reported enrolled..... | 1815 |
| notice of approval..... | 1885 |
174. To legalize the first charter election held in the village of Plainwell, on the 29th day of March, 1869, also, the acts of the village board, assessor, and marshal of said village for the years 1869, 1870, and 1871:
- | | |
|------------------------------------------------------|--------|
| introduced by Mr. Watkins and referred..... | 460 |
| reported and referred to committee of the whole..... | 526 |
| reported and ordered to third reading..... | 659-62 |
| passed..... | 715 |
| returned from Senate with title amended..... | 1049 |
| requested to return to Senate..... | 1091 |
| returned from Senate..... | 1260 |
| reported enrolled..... | 1406 |
| notice of approval..... | 1560 |
175. To establish an additional State Normal School:
- | | |
|------------------------------------------------------|---------|
| introduced by Mr. Coulter and referred..... | 460 |
| reported and referred to committee of the whole..... | 754 |
| reported and ordered to third reading..... | 1535-6 |
| lost..... | 1617-18 |
176. To provide for the levying and collecting of a school tax in fractional school district No. 6, in the townships of Wright and Tallmadge, in the county of Ottawa:
- | | |
|------------------------------------------------------|--------|
| introduced by Mr. Adsit and referred..... | 460-1 |
| reported and referred to committee of the whole..... | 529 |
| reported and ordered to third reading..... | 660-2 |
| passed..... | 718-19 |
| returned from Senate..... | 1014 |
| reported enrolled..... | 1040 |
| notice of approval..... | 1313 |
177. Making an appropriation for the erection of a new hall for the University of Michigan:
- | | |
|------------------------------------------------------------------------------------|--------|
| reported by the committee on education and referred to committee of the whole..... | 486 |
| reported and ordered to third reading..... | 659-62 |
| passed..... | 710-12 |
| returned from Senate amended..... | 1087 |
| reported enrolled..... | 1236 |
| notice of approval..... | 1146 |

	PAGE.
HOUSE BILLS:	
178. To amend an act entitled "An act to revise the charter of the village of Wayland, being act number 366 of the session laws of the year 1869," approved March 30, 1869:	
introduced by Mr. Watkins and referred.....	497
reported and referred to committee of the whole.....	564
reported and ordered to third reading.....	660-2
passed.....	724
returned from Senate.....	846
reported enrolled.....	923
notice of approval.....	962
179. To amend chapter 67, revised statutes of 1846, being chapter 91 of the compiled laws, entitled "Of title to real property by descent," by adding thereto a new section, to stand as section 14:	
introduced by Mr. — and referred.....	497
substitute reported for and referred to committee of the whole.....	932
reported and ordered to third reading.....	1576-9
passed.....	1670
180. To amend section 7 of an act entitled "An act to establish an asylum for the deaf and dumb, and the blind, and also an asylum for the insane, of the State of Michigan," approved April 3, 1848, being section 1529 of the compiled laws:	
introduced by Mr. Millington and referred.....	497
reported and referred to committee of the whole.....	587
reported and ordered to third reading.....	1535-6
lost.....	1616-17
181. To prevent the destruction of mink:	
introduced by Mr. Houseman and referred.....	498
reported and tabled.....	1276
taken from table and re-referred.....	1595
substitute reported for, adopted, and referred to committee of the whole.....	1611
reported and ordered to third reading.....	2138
lost, reconsidered, and tabled.....	2167-8
182. To provide for punishing any officer for receiving more than legal fees or compensation:	
introduced by Mr. Lamb and referred.....	498
reported and referred to committee of the whole.....	1086
reported, all after enacting clause stricken out, and enacting clause tabled.....	1806-7
enacting clause taken from table and referred.....	1987
substitute reported for, adopted, and passed, and title amended so as to read, "To provide for the election of aldermen in the fourth ward of the city of Flint at the annual election for 1871, and to authorize the common council of said city to assess, levy, and collect a highway tax in said fourth ward for 1871".....	1988-9
returned from Senate.....	2010
reported enrolled.....	2032
notice of approval.....	2082
183. To authorize the township of Brighton, in the county of Livingston, to raise money by tax to pay certain bounties:	
introduced by Mr. Crofoot and referred.....	498
reported and referred to committee of the whole.....	566
reported and ordered to third reading.....	661-2
passed.....	726

BILLS

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	PAGE.
HOUSE BILLS:	
183. To authorize the township of Brighton, in the county of Livingston, to raise money by tax to pay certain bounties:	
returned from Senate.....	1015
reported enrolled.....	1040
notice of approval.....	1146
184. To amend section 7, of chapter 65, of the revised statutes of 1846, being section 2726, chapter 88, of the compiled laws, entitled "Of alienation by deed, and the proof and recording of conveyances, and the canceling of mortgages:"	
introduced by Mr. Adams and referred.....	498
reported and referred to committee of the whole.....	634
reported and ordered to third reading.....	944-5
tabled.....	992
185. To establish the weight of lime:	
introduced by Mr. McGonegal and referred.....	498
reported and referred to committee of the whole.....	930
reported and ordered to third reading.....	1806-7
passed.....	1831
returned from Senate.....	2001
reported enrolled.....	2185
notice of approval.....	2375
186. To amend section 33, of chapter 7, of "An act to revise the charter of the city of Detroit," approved February 5, 1857:	
introduced by Mr. Gibson and referred.....	498
reported and referred to committee of the whole.....	589-90
considered in committee of the whole and recommitted.....	1536
187. To repeal act number 58, of the session laws of 1849, being an act entitled "An act to authorize Prosper Bunyea to keep up a dam across the Huron river, in the county of Oakland," approved March 16th, 1847:	
introduced by Mr. Webster and referred.....	490
reported and tabled.....	802
188. To quiet title to certain lands and prescribe conditions and limitations of actions in ejectment:	
introduced by Mr. Fenton and referred.....	499
reported and referred to committee of the whole.....	1242-3
reported and ordered to third reading.....	1843
passed.....	1870
189. To provide for the drainage of the swamp lands in the township of Lee, in the county of Calhoun, and making an appropriation therefor from the swamp land fund:	
introduced by Mr. Brockway and referred.....	499
reported and referred to committee of the whole.....	1304
reported and recommitted.....	1859
reported and passed.....	1926-7
190. Making the actions of trespass, and trespass in the case, transitory in certain cases:	
introduced by Mr. Gray and referred.....	499
reported and referred to committee of the whole.....	634
reported and ordered to third reading.....	943-4
passed.....	991
returned from Senate.....	1334
reported enrolled.....	1407
notice of approval.....	1561

	PAGE.
HOUSE BILLS:	
191. To change the name of Daniel Johnson to Daniel Way, and to constitute him heir-at-law of Francis Way :	
introduced by Mr. Roof and referred.....	499
reported and referred to committee of the whole.....	843
reported and ordered to third reading.....	1133
passed.....	1168
returned from Senate.....	1467
reported enrolled.....	1555
notice of approval.....	1562
192. To amend sections 12, 13, and 14, of act number 82, of the session laws of 1869, being an act to amend sections 12, 13, 14, and 15, of chapter 154, of the revised statutes of 1846, being sections 5756, 5757, 5758, and 5759, of chapter 181, of the compiled laws, entitled "Of offenses against property," approved March 30, 1869 :	
introduced by Mr. Hurlbut and referred.....	500
reported and referred to committee of the whole.....	1243
reported and ordered to third reading.....	1842
passed.....	1873
returned from Senate.....	2181
reported enrolled.....	2299
notice of approval.....	2496
193. To provide for using the unexpended swamp lands appropriated for the improvement of the Grand Rapids and Muskegon State road, by act number 238, of the session laws of 1863, for the purpose of improving said road in the townships of Eggleston and Muskegon, in the county of Muskegon :	
introduced by Mr. Holt and referred.....	500
reported and referred to committee of the whole.....	1280
reported and ordered to third reading.....	1858
passed, and title amended.....	1894-5
194. To provide for the improvement and completion of the western portion of the Capac and Clyde State road, in the county of St. Clair, State of Michigan, and making an appropriation of State swamp lands therefor :	
introduced by Mr. Hazen and referred.....	500
substitute reported for, and referred to committee of the whole.....	1377-8
reported and ordered to third reading.....	2018
tabled.....	2096
taken from table and passed, and title amended so as to read, "To provide for laying out and constructing a State road in the townships of Muzzy and Lynn, in the county of St. Clair, State of Michigan, and making an appropriation of non-resident highway taxes to aid in constructing the same, to be known as the Muzzy and Lynn State road".....	2307-8
returned from Senate.....	2436
reported enrolled.....	2551
notice of approval.....	2566
195. To provide for keeping fuller records in county treasurers' offices, of proceedings affecting lands sold for unpaid taxes :	
introduced by Mr. Gibson and referred.....	500
reported and referred to committee of the whole.....	1238
reported and ordered to third reading.....	1842
passed.....	1871

HOUSE BILLS:

196. To authorize the Cass County Agricultural Society to sell their fair grounds:
- | | |
|------------------------------------------------------|-------|
| introduced by Mr. Coulter and referred..... | 501 |
| reported and referred to committee of the whole..... | 527-8 |
| reported and ordered to third reading..... | 660-2 |
| passed..... | 717 |
| returned from Senate..... | 1014 |
| reported enrolled..... | 1089 |
| notice of approval..... | 1145 |
197. To change the name of Lottie C. Rumsey, of Albion, Michigan, to that of Belle Lewis:
- | | |
|------------------------------------------------|------|
| introduced by Mr. Montgomery and referred..... | 501 |
| reported and tabled..... | 1490 |
198. To incorporate the village of Concord, in Jackson county:
- | | |
|------------------------------------------------------|------|
| introduced by Mr. Landon and referred..... | 501 |
| reported and referred to committee of the whole..... | 578 |
| reported and ordered to third reading..... | 907 |
| amended and passed..... | 964 |
| returned from Senate..... | 1333 |
| reported enrolled..... | 1407 |
| notice of approval..... | 1561 |
199. For laying out and establishing a road in town three north, range eleven west:
- | | |
|----------------------------------------------------------------------------------------|---------|
| reported by committee on roads and bridges and referred to committee of the whole..... | 530 |
| reported and ordered to third reading..... | 660-2 |
| recommitted..... | 721 |
| reported and lost..... | 1079-80 |
200. To organize the township of Manistique, in the unorganized county of Schoolcraft:
- | | |
|------------------------------------------------------|------|
| introduced by Mr. Swineford and referred..... | 535 |
| reported and referred to committee of the whole..... | 750 |
| reported and ordered to third reading..... | 1125 |
| passed..... | 1159 |
| returned from Senate..... | 1467 |
| reported enrolled..... | 1555 |
| notice of approval..... | 1562 |
201. To organize the township of Onota, in the county of Schoolcraft:
- | | |
|------------------------------------------------------|------|
| introduced by Mr. Swineford and referred..... | 536 |
| reported and referred to committee of the whole..... | 676 |
| reported and ordered to third reading..... | 993 |
| passed..... | 1007 |
| returned from Senate..... | 1665 |
| reported enrolled..... | 1711 |
| notice of approval..... | 1823 |
202. To exempt the county of St. Joseph from the provisions of act number 43, of the session laws of 1869, being an act entitled "An act to provide for the drainage of swamps, marshes, and other low lands:"
- | | |
|--------------------------------------------|-----|
| introduced by Mr. Climie and referred..... | 875 |
|--------------------------------------------|-----|
203. To provide for laying out and constructing a State road from the northern terminus of the Ovid and St. Charles State road northerly, to intersect the St. Louis and Saginaw plank road, and appropriating certain non-resident highway taxes for the construction of the same:
- | | |
|------------------------------------------------------|-------|
| introduced by Mr. Barnaby and referred..... | 536 |
| reported and referred to committee of the whole..... | 628-9 |

HOUSE BILLS:

203. To provide for laying out and constructing a State road from the northern terminus of the Ovid and St. Charles State road northerly, to intersect the St. Louis and Saginaw plank road, and appropriating certain non-resident highway taxes for the construction of the same:
- reported and ordered to third reading..... 943
 - passed..... 967
 - returned from Senate..... 1333
 - reported enrolled..... 1407
 - notice of approval..... 1561
204. To amend sections 1, 2, 3, 5, and 8, of act number 124, of the session laws of 1869, being an act entitled "An act to revise and consolidate the several acts relating to the protection of game, and for the better preservation of elk, deer, birds, and wild fowl," approved April 3, 1869:
- introduced by Mr. C. Y. Osborn and referred..... 536
 - reported and referred to committee of the whole..... 1281-2
 - reported and ordered to third reading..... 1859
 - passed..... 1898
 - returned from Senate..... 2379
 - reported enrolled..... 2551
 - notice of approval..... 2562
205. Relating to issuing executions and judgments in certain cases:
- introduced by Mr. Hoyt and referred..... 537
206. To create a fire commission in the city of Detroit:
- introduced by Mr. Cochrane and referred..... 537
 - reported and ordered to third reading..... 563
 - passed..... 573
 - returned from Senate..... 1250
 - reported enrolled..... 1405
 - notice of approval..... 1560
207. Appropriating certain non-resident highway taxes for improvement of the Port Sanilac and Tuscola State road:
- introduced by Mr. Thayer and referred..... 537
 - reported and referred to committee of the whole..... 630
 - reported and ordered to third reading..... 1125
 - tabled..... 1157
 - taken from table and passed..... 1505
 - returned from Senate..... 1996
 - reported enrolled..... 2033
 - notice of approval..... 2085
208. To provide for the assessment of school taxes in school districts fractional, situated in two or more counties:
- introduced by Mr. Edwards and referred..... 537
 - reported and tabled..... 753-4
 - taken from table and recommitted..... 993
 - reported and referred to committee of the whole..... 1286-7
 - committee of the whole discharged from, passed, and title amended so as to read, "To create fractional school district No. 1, of the city and township of Marquette," 1525
 - returned from Senate..... 1663
 - reported enrolled..... 1712
 - notice of approval..... 2038

HOUSE BILLS:

209. To amend chapter 130, of the revised statutes of 1846, being chapter 157 of the compiled laws, relating to foreclosure of mortgages by advertisement, by adding a new section thereto : introduced by Mr. Copley and referred.....	537
reported and tabled.....	1143
210. To change the name of William Zahn to William Sawn : introduced by Mr. N. L. Miller and referred.....	538
reported and referred to committee of the whole.....	935
reported and ordered to third reading.....	1338-9
passed.....	1426
returned from Senate.....	1946
reported enrolled.....	1995
notice of approval.....	2088
211. To establish the salaries of judges of probate : introduced by Mr. Hurlbut and referred.....	538
reported and tabled.....	1142
taken from table and referred.....	1701
substitute reported for adopted, and referred to committee of the whole.....	1710
reported and ordered to third reading.....	2139
tabled.....	2178
212. To incorporate the village of Vernon : introduced by Mr. Garrison and referred.....	538
reported and referred to committee of the whole.....	587-8
reported and ordered to third reading.....	941-2
passed.....	976
reconsidered and recommitted.....	979
reported and passed.....	999-1000
returned from Senate amended.....	1251-2
reported enrolled.....	1405
notice of approval.....	1560
213. To extend the time for the collection of taxes in the city of Saginaw, in the county of Saginaw : introduced by Mr. Little and passed.....	544
returned from Senate.....	596
reported enrolled.....	597
notice of approval.....	622
214. To authorize the trustees of the Michigan Collegiate Institute of Leoni to sell and convey certain real estate : introduced by Mr. Barnaby and referred.....	571
reported and referred to committee of the whole.....	753
reported and ordered to third reading.....	1103
passed.....	1155
returned from Senate.....	1400
reported enrolled.....	1497
notice of approval.....	1561
215. Appropriating certain non-resident highway taxes for the improvement of the Greenbush and Gratiot State road : introduced by Mr. Barnaby and referred.....	571
reported and referred to committee of the whole.....	746
reported and ordered to third reading.....	1103-4
passed.....	1153
returned from Senate.....	2206
reported enrolled.....	2298
notice of approval.....	2498

HOUSE BILLS:

216. To amend sections 1, 2, and 6, of an act entitled "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils," approved April 3, 1869, being act number 128 of the session laws of 1869, and to add thereto a new section, to stand as section 8 of said act:
- introduced by Mr. Bates and referred..... 571
 - reported and referred to committee of the whole..... 681
 - reported and ordered to third reading..... 1020-2
 - passed..... 1056
 - returned from Senate..... 1467
 - reported enrolled..... 1555
 - notice of approval..... 1823
217. To legalize the acts of the highway commissioners of the township of Hazleton, and the tax-roll of said township as to ditch taxes spread thereon:
- introduced by Mr. Garrison and referred..... 371
 - reported and referred to committee of the whole..... 588
 - reported and ordered to third reading..... 941-2
 - passed..... 974
 - returned from Senate..... 1658
 - reported enrolled..... 1711
 - notice of approval..... 2037
218. To confer upon commissioners of highways and street commissioners certain powers in relation to gravel and plank road companies:
- introduced by Mr. Dalton and referred..... 571
 - reported and referred to committee of the whole..... 630
 - reported and re-referred..... 994-5
 - reported and ordered to third reading..... 1233
 - recommitted..... 1267
 - substitute reported for adopted, passed, and title amended so as to read, "To amend section 45 of an act entitled 'An act to provide for the formation of companies to construct plank roads,' approved February 8, 1851, being section 1925, in chapter 65, of the compiled laws"..... 1604-5
 - returned from Senate..... 2181
 - reported enrolled..... 2202
 - notice of approval..... 2496
219. To prevent attorneys from testifying in behalf of their clients in certain cases:
- introduced by Mr. Copley and referred..... 572
 - reported and referred to committee of the whole..... 934-5
 - reported and all after enacting clause stricken out, and enacting clause tabled..... 1321
220. To amend section 28 of an act entitled "An act to re-incorporate the village of Kalamazoo," approved March 15, 1861:
- introduced by Mr. Cameron and ordered to third reading..... 572
 - passed..... 574
 - returned from Senate amended, amendments concurred in..... 1048
 - reported enrolled..... 1120
 - notice of approval..... 1146
221. To legalize sales of land made by executors, administrators, or guardians:
- introduced by Mr. Hurlbut and referred..... 572
 - reported and referred to committee of the whole..... 1142
 - reported and ordered to third reading..... 1599
 - passed..... 1692

INDEX.

2679

PAGE.

HOUSE BILLS:

222. To amend section 2, of chapter 141, of the compiled laws, being section 2 of an act to authorize proceedings against garnishees, and for other purposes, approved March 28, 1849, being section 4778 of the compiled laws:
introduced by Mr. Brockway and referred..... 572
223. To revise the charter of the city of Grand Rapids, being amendatory of an act entitled "An act to incorporate the city of Grand Rapids," approved April 2, 1850, as amended by the several acts amendatory thereof:
introduced by Mr. Houseman and referred..... 572
reported and referred to committee of the whole..... 683
reported and ordered to third reading 1021-2
amended and passed..... 1061-3
returned from Senate amended..... 1190-1
request to return to Senate tabled..... 1261
reported enrolled..... 1405
notice of approval..... 1559
224. To amend section 14, and to add three new sections, to stand as sections 36, 37, and 38, of an act entitled "An act to incorporate the village of Spring Lake," approved March 24, 1869:
introduced by Mr. Adsit and referred..... 573
reported and referred to committee of the whole..... 594-5
reported and ordered to third reading 943-4
passed..... 985
returned from Senate..... 1250
reported enrolled..... 1405
notice of approval..... 1560
225. To amend section 31 of an act to revise the charter of the village of Burr Oak, approved March 16, 1867:
introduced by Mr. Tobey and referred..... 573
substitute reported for and referred to committee of the whole..... 890-1
reported and ordered to third reading 1134
passed and title amended..... 1173
returned from Senate..... 1666
reported enrolled..... 1800
notice of approval..... 1885
226. To provide for the payment of a certain sum per year to each convict in the State Prison upon their discharge from the Prison:
introduced by Mr. Phillips and referred..... 573
227. To amend section 2904 of the compiled laws, being section 7, of chapter 71, of the revised statutes of 1846, entitled "Of the inventory and collection of the effects of deceased persons:"
introduced by Mr. Grosvenor and referred 577
reported and referred to committee of the whole..... 596
reported and recommitted..... 993-5
reported and ordered to third reading 1002
passed..... 1009
returned from Senate..... 1563
reported enrolled..... 1610
notice of approval..... 2037

HOUSE BILLS :

228. To amend section 1, of act number 153, of the session laws of 1868, approved April 5, 1868, entitled "An act to provide for an appeal from the board of school inspectors of any school district to the township board :"
- reported by the committee on education and referred to committee of the whole.....590-1
 - reported, all after enacting clause stricken out, and enacting clause tabled.....941-2
 - enacting clause taken from table and recommitted.....1017-18
 - substitute reported for, and referred to committee of the whole.....1591
 - committee of the whole discharged from, passed, and title amended so as to read, "To detach certain real estate from school district number 1, fractional of Parma, Sandstone, Concord, and Spring Arbor, and attaching the same to school district number 3, of Parma ".....2078-9
 - returned from Senate.....2277
 - reported enrolled.....2300
 - notice of approval.....2495
229. To amend chapter 95 of the compiled laws, by extending to executors and administrators power over land contracts in certain cases, by adding a new section thereto, to stand as section 16 of said chapter :
- introduced by Mr. Hazen and referred.....607
 - reported and referred to committee of the whole.....755
 - reported and ordered to third reading.....1298-9
 - passed.....1403
 - returned from Senate.....1952
 - reported enrolled.....1995
 - notice of approval.....2084
230. To amend section number 18, of chapter 14, of an act entitled "An act entitled an act to revise the charter of the city of Port Huron," approved April 5, 1868 :
- introduced by Mr. Wells and referred.....608
 - reported and referred to committee of the whole.....685
 - reported and ordered to third reading.....1103
 - passed.....1148
 - returned from Senate.....1664-5
 - reported enrolled.....1711
 - notice of approval.....1823
231. To vacate a certain portion of the Pontiac and Grand River State road :
- introduced by Mr. Garrison and referred.....607
 - reported and tabled.....1144
232. To amend an act entitled "An act to amend section 43, of chapter 67, of the compiled laws, being an act to provide for the incorporation of railroad companies," approved February 12, 1855, so as to require all persons and companies owning or occupying railroads to fence the same :
- introduced by Mr. Millington and referred.....608
 - reported and referred to committee of the whole.....743
 - reported and ordered to third reading.....1019
 - passed.....1066
 - returned from Senate in compliance with request of House,.....1123

HOUSE BILLS:

233. To provide for the payment of taxes, and the sale of lands encumbered with drainage taxes:	
introduced by Mr. Roost and referred.....	608
reported and referred to committee of the whole.....	1085
reported and ordered to third reading.....	1342-3
lost, reconsidered, and tabled.....	1488-4
taken from table and lost.....	1762
234. To provide for paying the expense of certain ditches made under the drain laws, in Saginaw county:	
introduced by Mr. Haack and referred.....	608
reported and referred to committee of the whole.....	755
reported and re-referred.....	1104
reported and ordered to third reading.....	1374-6
passed.....	1472
returned from Senate.....	1564
reported enrolled.....	1610
notice of approval.....	1823
235. To provide for the laying out and establishing a State road from Tyre, in the township of Austin, Sanilac county, to the shore of Lake Huron:	
introduced by Mr. Thayer and referred.....	609
reported and referred to committee of the whole.....	745
reported and ordered to third reading.....	1108-4
passed.....	1149
returned from Senate.....	1645
reported enrolled.....	1711
notice of approval.....	2087
236. Restricting boards of supervisors and boards of county auditors from giving any extra compensation to circuit judges, county officers, or jurymen, beyond what the law prescribes:	
introduced by Mr. Pattengell and referred.....	609
reported and tabled.....	1603
237. Giving the auditors of Wayne county a salary:	
introduced by Mr. Pattengell and referred.....	609
reported and referred to committee of the whole.....	629
reported and referred to special committee.....	944-5
reported and ordered to third reading.....	1558-9
lost, reconsidered, and tabled.....	1625-6
taken from table and passed.....	1756-7
returned from Senate.....	1890
reported enrolled.....	1945
notice of approval.....	2409
238. To legalize the acts and proceedings of the board of fire commissioners in the city of Detroit:	
introduced by Mr. Cochrane and referred.....	609
reported and referred to committee of the whole.....	1140
reported and ordered to third reading.....	1599
passed.....	1690
returned from Senate.....	1890
reported enrolled.....	1 94 5
notice of approval.....	2083

HOUSE BILLS:

239. To amend an act entitled "An act to amend an act entitled 'An act to establish a police court in the city of Detroit,' approved April 2, 1850, and to add a new section thereto," approved March 30, 1863, and to add a new section thereto: introduced by Mr. Cochrane and referred.....	609
reported and referred to committee of the whole	1115
reported and ordered to third reading.....	1578-9
passed	1686
returned from Senate.....	1890
reported enrolled	1945
notice of approval.....	2063
240. Relative to the construction of acts legalizing taxes, assessments, and tax or assessment rolls:	
introduced by Mr. Cochrane and referred.....	610
reported and referred to committee of the whole.....	633
reported and ordered to third reading.....	943
passed	990-1
returned from Senate.....	1250
reported enrolled.....	1405
notice of approval.....	1560
241. To provide for the transmission of the official publications of the State to the free library of the city of Detroit:	
introduced by Mr. Hoyt and referred.....	610
reported and referred to committee of the whole.....	675
reported and ordered to third reading.....	994
passed	1007-8
returned from Senate with title amended.....	1257
reported enrolled.....	1406
notice of approval.....	1560
242. To lay out and establish a State road in the counties of Midland and Saginaw, and to appropriate certain non-resident highway taxes therefor:	
introduced by Mr. Little and referred.....	610
reported and referred to committee of the whole.....	745
reported and ordered to third reading.....	1103
passed	1151
reconsidered and tabled.....	1163
taken from table, amended and passed.....	1187
returned from Senate.....	1665
reported enrolled.....	1799
notice of approval.....	2037
243. To provide for the incorporation and charter of children's banking associations:	
introduced by Mr. Gibson and referred.....	610
reported and referred to committee of the whole.....	1115
reported and recommitted.....	1578-9
reported and tabled.....	2121
244. To amend sections 4, 6, and 10, of an act entitled "An act to amend an act entitled an act to revise the charter of the city of Adrian, approved March 20, 1865," approved March 27, 1869:	
introduced by Mr. Crane and referred.....	610
reported and referred to committee of the whole.....	684
reported and ordered to third reading.....	1021-2
passed	1060
returned from Senate.....	1834
reported enrolled.....	1407
notice of approval.....	1561

HOUSE BILLS:

245. To legalize the action of the county drain commissioner of Cass county, under the provisions of act No 43, of the session laws of 1869:	
introduced by Mr. Copley and ordered to third reading....	611
passed	618
returned from Senate.....	938
reported enrolled	958
notice of approval.....	1145
246. To authorize school district No. 5, of the township of Millington, in the county of Tuscola, to issue bonds to aid in the construction of a school-house in said district:	
introduced by Mr. Huston and ordered to third reading....	611
passed	617
returned from Senate.....	662
reported enrolled	741
notice of approval.....	845
247. To incorporate the village of Muir:	
introduced by Mr. Roof and referred.....	611
reported and referred to committee of the whole.....	747
reported and ordered to third reading.....	1104
amended and passed.....	1154
returned from Senate.....	1665
reported enrolled.....	1799
notice of approval.....	1884
248. To amend sections 1, 2, 8, and 13, of act number 374, of the session laws of 1869, entitled "An act to incorporate the village of Portland, in Ionia county," approved March 30, 1869:	
introduced by Mr. Roof and referred.....	611
reported and referred to committee of the whole.....	677
reported and ordered to third reading	1020-2
passed	1055
returned from Senate.....	1334
reported enrolled.....	1498
notice of approval.....	1561
249. To aid in the completion of the Tuscola and Saginaw Bay State road, and making an appropriation of State swamp land for the same:	
introduced by Mr. Huston and referred.....	611
250. To provide for the drainage and reclamation of swamp lands by means of a State road to be known as the Big Rapids and Chippewa River State road:	
introduced by Mr. Gray and referred.....	612
reported and referred to committee of the whole.....	1593
reported and ordered to third reading.....	2188
tabled	2166
251. To amend act number 147, of the session laws of 1869, entitled "An act to amend section 1666, being section 8, of chapter 52, of the compiled laws, relative to the manufacture and sale of intoxicating drinks as a beverage:"	
reported by committee on judiciary and referred to committee of the whole.....	636
reported and ordered to third reading.....	944-5
passed	969
returned from Senate amended, and amendments non-concurred in.....	1882

HOUSE BILLS:

251. To amend act number 147, of the session laws of 1869, entitled "An act to amend section 1666, being section 8, of chapter 52, of the compiled laws, relative to the manufacture and sale of intoxicating drinks as a beverage:"
 re-turned from Senate, committee of conference appointed.....1565-8
 Senate committee of conference on.....1614
 report of committee of conference on.....1759
 returned from Senate.....1834
 reported enrolled.....1939
 request to return to Senate tabled.....1951-2
 notice of approval.....2063
252. To legalize the action of the trustees of the First Baptist church and society of Benton Harbor:
 introduced by Mr. Riford and referred.....644
 reported and referred to committee of the whole.....680
 reported and ordered to third reading.....1021-2
 passed.....1068
 returned from Senate.....1315
 reported enrolled.....1406
 notice of approval.....1500
253. To provide for the sale of perishable property:
 introduced by Mr. Riford and referred.....645
 reported and referred to committee of the whole.....1130
 reported and re-referred.....1598-1603
 reported and ordered to third reading.....1863
 passed.....1916
 returned from Senate.....2207
 reported enrolled.....2298
 notice of approval.....2498
254. To provide for laying out and establishing a State road, to be known as the Meridian State road, and appropriating certain swamp lands for the construction of the same:
 introduced by Mr. Hart and referred.....645
 reported and tabled.....1635-6
255. Relative to certain cemetery property within the city of Saginaw, in Saginaw county:
 introduced by Mr. Little and referred.....645
 reported and referred to committee of the whole.....1833-4
 reported and ordered to third reading.....1934
 passed.....1976
 returned from Senate.....2042
 reported enrolled.....2106
 notice of approval.....2496
256. To change the name of George F. Carney to George F. Powers, and that he be constituted heir-at-law of J. S. Powers:
 introduced by Mr. Watkins and referred.....645
 reported and referred to committee of the whole.....1937-8
 reported and ordered to third reading.....2220
 passed.....2334-5
 returned from Senate.....2470
 reported enrolled.....2557
 notice of approval.....2563

HOUSE BILLS:

257. To provide for the incorporation of St. Jean Baptiste societies:
 introduced by Mr. McGonegal and referred..... 645
 reported and tabled..... 680-1
 taken from table and referred to committee of the whole... 1294
 reported and ordered to third reading..... 1858
 passed..... 1880
 returned from Senate..... 2042
 reported enrolled..... 2187
 notice of approval..... 2496
258. To amend an act entitled "An act to revise the charter of the city of Detroit," approved February 5, 1857, as amended by the several acts amendatory thereof:
 introduced by Mr. McGonegal and referred..... 646
 reported and referred to committee of the whole..... 1193
 reported and ordered to third reading..... 1577-9
 passed..... 1675-6
 returned from Senate..... 2286
 reported enrolled..... 2387
 notice of approval..... 2498
259. To provide for the division of the township of Plymouth, Wayne county, into two election districts, for general election purposes:
 introduced by Mr. Pattengell and referred..... 646
 reported and referred to committee of the whole..... 1489
 reported and ordered to third reading..... 2054
 passed..... 2112
 returned from Senate..... 2278
 reported enrolled..... 2386
 notice of approval..... 2559
260. To amend section 18, of act number 76, of the session laws of 1861, the same being section 3941 of the compiled laws, as amended by said act 76, in relation to costs in criminal cases:
 introduced by Mr. Hazen and referred..... 646
 substitute reported for adopted, passed, and title amended so as to read: "To amend section 14, in chapter 102, of the revised statutes of 1846, being section 3103, in chapter 102, of the compiled laws, relative to the sale of lands of minors and other persons under guardianship, and investing the proceeds for their use"..... 1982-4
 returned from Senate..... 2206
 reported enrolled..... 2297
 notice of approval..... 2497
261. To amend act number 352, of the session laws of 1867, being an act entitled "An act to set off and incorporate a portion of the townships of Grand Haven and Spring Lake, in the county of Ottawa, into a city by the name of the city of Grand Haven," by the addition of a new section, to stand as section 89:
 introduced by Mr. Roost and referred..... 646
 reported and referred to committee of the whole..... 752
 reported and re-referred..... 1105-6
 reported and ordered to third reading..... 1140
 lost, reconsidered, and recommitted..... 1186-7
 reported and passed..... 1239
 returned from Senate..... 1665
 reported enrolled..... 1711
 notice of approval..... 1884

	Page.
HOUSE BILLS :	
262. To amend the charter of the city of Battle Creek :	
introduced by Mr. Brown and referred.....	646
reported and referred to committee of the whole.....	893
reported and ordered to third reading.....	1133
recommitted	1175
reported and ordered to third reading....	1827
passed	1424
returned from Senate.....	1666
reported enrolled.....	1814
notice of approval.....	1885
263. To organize the county of Russell :	
introduced by Mr. N. R. Hill and referred	646-7
majority report a substitute for, and tabled for one day....	1075-6
substitute adopted for, and referred to committee of the whole.....	1125
committee of the whole discharged from and lost.....	1484-5
reconsidered and tabled.....	1531
taken from table and lost.....	1712
264. To amend section 47, and repeal sections 41, 42, 43, 48, 52, and 53, of act 148, of the session laws of 1869, being an act to revise and consolidate the several acts relating to the support and maintenance of poor persons, approved April 5, 1869 :	
introduced by Mr. Garfield and referred	647
reported and referred to committee of the whole.....	743
reported and ordered to third reading.....	1297-9
lost, reconsidered and recommitted.....	1402-3
substitute reported for, adopted, tabled and ordered printed taken from table and passed, and title amended so as to read : " To amend sections 41, 42, 43, 47, 48, 52, and 53, of act 148, of the session laws of 1869, being an act to revise and consolidate the several acts relating to the support and maintenance of poor persons, approved April 5, 1869 ".....	1760-1
returned from Senate.....	2279
reported enrolled	2500
notice of approval.....	2559
265. To amend sections 3 and 4, of chapter 27, of the revised statutes of 1846, " Of the erection, repairing, and preservation of bridges," being section 1101 of the compiled laws :	
introduced by Mr. Millington and referred	647
reported and referred to committee of the whole.....	746
reported and ordered to third reading.....	1103-4
passed	1153
returned from Senate.....	2203
reported enrolled.....	2297
notice of approval.....	2497
266. To amend section 5 of an act entitled " An act to provide for the incorporation of co-operative and mutual benefit associations," approved April 3, 1869, being act No. 104, of the session laws of 1869 :	
introduced by Mr. Minne and referred	647
substitute reported for adopted, and referred to committee of the whole.....	1605
reported and ordered to third reading	2136
tabled.....	2169-70

HOUSE BILLS:

267. To repeal act No. 52, of the session laws of 1846, entitled "An act to authorize Amos Bronson and Elisha Doan to erect a dam across the St. Joseph river, in the county of St. Joseph," approved April 7, 1846, and to authorize Edwin Stewart, Lewis B. Lyman, Hosea Barnebee, Abram H. Voorhees, and Gershom P. Doan to erect and maintain a dam across the St. Joseph river, in the county of St. Joseph:
introduced by Mr. Climie and referred..... 647
reported and referred to committee of the whole..... 742
reported and ordered to third reading.....1020-2
passed..... 1068
returned from Senate..... 1898
reported enrolled..... 1497
notice of approval..... 1822
268. To define the rights of holders of title of real estate in certain cases:
introduced by Mr. Cochrane and referred..... 648
reported and tabled..... 1742
269. To amend an act entitled "An act to regulate express companies, and their agents, and individuals prosecuting the express business not incorporated by the State of Michigan," approved March 27, 1867:
introduced by Mr. Cochrane and referred..... 648
reported and referred to committee of the whole..... 891
reported and ordered to third reading.....1819-21
passed..... 1416
returned from Senate..... 1666
reported enrolled..... 1800
notice of approval..... 2087
270. To amend act number 187, of session laws of 1859, being section 5644 of the compiled laws, and to repeal act number 15, of session laws of 1862, and act number 79 of session laws of 1863, relative to estates of deceased persons:
introduced by Mr. Ferry and referred..... 648
reported and referred to committee of the whole..... 1548
reported and ordered to third reading..... 2118
recommitted..... 2181
reported and passed, and title amended.....2312-18
returned from Senate..... 2465
reported enrolled..... 2557
notice of approval..... 2564
271. Making appropriations for the Asylum for the Insane for the years 1871 and 1872, and for the location and commencement of a new Asylum:
reported by the committee on Insane Asylum and referred to committee of the whole.....677-9
committee of the whole discharged from, and made special order..... 1084
considered in committee of the whole..... 1207
reported and ordered to third reading..... 1210-11
recommitted..... 1265

HOUSE BILLS:

272. To amend section nine and section thirty-two of an act entitled "An act to organize the Michigan Asylum for the Insane, and more effectually to provide for the care, maintenance, and recovery of the insane," approved February 14, 1859:
- reported by committee on Insane Asylum and referred to committee of the whole..... 679
 - committee of the whole discharged from, and made special order..... 1084
 - considered in committee of the whole as special order..... 1207
 - reported and referred to committee of the whole..... 1210-11
 - reported and ordered to third reading..... 1599
 - passed..... 1720-1
 - motion to reconsider tabled..... 1805
273. To amend section two of an act approved March 28, 1849, being section 4778, in chapter 141, of the compiled laws, entitled "Of proceedings against garnishees:"
- introduced by Mr. Riford and referred..... 698
 - reported and referred to committee of the whole..... 1228
 - reported, all after enacting clause stricken out, and enacting clause tabled..... 1841
274. To amend chapter 12, of the revised statutes of 1846, entitled "The Board of State Auditors," by adding thereto three sections:
- introduced by Mr. Grosvenor and referred..... 698
 - reported and referred to committee of the whole..... 1819
 - reported and ordered to third reading..... 2219
 - passed..... 2328-9
275. To extend the time for the collection and return of taxes in the township of Watertown, in the county of Clinton, for the year 1870:
- introduced by Mr. Doty and passed..... 698-9
 - returned from Senate..... 760
 - motion to return to Senate tabled..... 788
 - reported enrolled..... 808
 - notice of approval..... 962
276. To provide for the formation of joint stock companies for the purpose of owning and maintaining "riding parks:"
- introduced by Mr. Adams and referred..... 702
 - reported and referred to committee of the whole..... 748
 - reported and ordered to third reading..... 1126
 - tabled..... 1162
 - taken from table and lost..... 1528-9
277. To improve the fisheries, and to appoint commissioners of the same for the State of Michigan:
- introduced by Mr. Grosvenor and referred..... 702
 - reported and referred to committee of the whole..... 1222
 - reported and ordered to third reading..... 1597-1601
 - recommitted..... 1751-3
 - reported and lost..... 1991-2
 - reconsidered and lost..... 2011-12
 - reconsidered and tabled..... 2044
 - taken from table and referred..... 2391
 - reported and passed..... 2417

INDEX.

2689

PAGE.

HOUSE BILLS:

278. To organize the township of Winterfield, in the county of Clare:	
introduced by Mr. Gray and referred.....	702
reported and referred to committee of the whole.....	748
reported and ordered to third reading.....	1126
passed.....	1161-2
returned from Senate.....	1816
reported enrolled.....	1406
notice of approval.....	1560
279. To organize the township of Surrey, in the county of Clare:	
introduced by Mr. Gray and referred.....	702
reported and referred to committee of the whole.....	747-8
reported and ordered to third reading.....	1126
passed.....	1161
returned from Senate.....	1816
reported enrolled.....	1406
notice of approval.....	1560
280. Regulating freights on railroads:	
introduced by Mr. Gray and referred.....	702
281. To vacate certain portions of the Pontiac and Grand river State road:	
introduced by Mr. Garrison and referred.....	703
282. To amend an act entitled "An act to amend chapter 126 of the revised statutes of 1846, being chapter 154 of the compiled laws, by adding a new section thereto, relating to miners' liens upon mining property," approved March 27, 1867:	
introduced by Mr. Holland and referred.....	703
283. To provide for laying out and establishing a State road in the counties of Ontonagon and Houghton:	
introduced by Mr. Harris and referred.....	703
reported and referred to committee of the whole.....	987
reported and ordered to third reading.....	1328
passed.....	1428
returned from Senate.....	2001
reported enrolled.....	2083
notice of approval.....	2565
284. To organize the township of Branch, in the county of Mason:	
introduced by Mr. W. H. C. Mitchell and referred.....	703
reported and referred to committee of the whole.....	1872
reported and ordered to third reading.....	2017
passed.....	2091-2
returned from Senate.....	2379
reported enrolled.....	2502
notice of approval.....	2560
285. To amend section 1 of an act entitled "An act to authorize proceedings by garnishment in the circuit court and the district court in the Upper Peninsula," approved March 16, 1861:	
introduced by Mr. Hoyt and referred.....	703
reported and referred to committee of the whole.....	1606
reported and ordered to third reading.....	2136
passed.....	2170
returned from Senate.....	2378
reported enrolled.....	2559
notice of approval.....	2560

HOUSE BILLS:

286. To authorize the village of Caro to raise money to aid in the construction of a court-house for the county of Tuscola:
- | | |
|-------------------------------------------------|---------|
| introduced by Mr. Huston and referred | 704 |
| reported and referred to committee of the whole | 752 |
| reported and ordered to third reading | 1126 |
| passed | 1163 |
| returned from Senate and tabled | 1996 |
| taken from table and returned to Senate | 2039-40 |
| returned from Senate | 2321 |
| reported enrolled | 2501 |
| notice of approval | 2560 |
287. To change the name of Emma Manning to Bertha Morehouse, and to constitute her the heir-at-law of Joseph Morehouse, of Saginaw county, Michigan:
- | | |
|-------------------------------------------------|------|
| introduced by Mr. Little and referred | 704 |
| reported and referred to committee of the whole | 843 |
| reported and ordered to third reading | 1133 |
| passed | 1169 |
| returned from Senate | 1467 |
| reported enrolled | 1555 |
| notice of approval | 1562 |
288. For publishing the statistics of the State of Michigan, taken by authority of the United States in the year 1870; also, for publishing the social statistics of Michigan, collected under the authority of act number 4, of the laws passed at the extra session of the Legislature of this State, in the year 1870:
- | | |
|-------------------------------------------------|--------|
| introduced by Mr. Sumner and referred | 704 |
| reported and referred to committee of the whole | 1234 |
| reported and ordered to third reading | 1843 |
| lost | 1867-8 |
| reconsidered and recommitted | 1924 |
| reported and passed | 2077 |
| returned from Senate | 2435 |
| reported enrolled | 2551 |
| notice of approval | 2561 |
289. To authorize justices of the peace of the township of Hamlin, in Eaton county, to hold courts at any place within the corporate limits of the village of Eaton Rapids:
- | | |
|--------------------------------------------------------------------------|------|
| introduced by Mr. Montgomery and referred | 704 |
| substitute reported for, adopted, and referred to committee of the whole | 2400 |
| committee of whole discharged from and ordered to third reading | 2486 |
| passed | 2492 |
| returned from Senate | 2535 |
| reported enrolled | 2556 |
| notice of approval | 2561 |
290. To amend section 1, of act number 75, of the session laws of 1867, being an act entitled "An act to exempt soldiers, sailors, and marines from the payment of a capitation or poll tax," approved March 21, 1867:
- | | |
|-------------------------------------------------|--------|
| introduced by Mr. Montgomery and referred | 704 |
| reported and referred to committee of the whole | 750 |
| reported and ordered to third reading | 1298-9 |
| passed | 1408-9 |
| returned from Senate | 2000 |
| reported enrolled | 2034 |
| notice of approval | 2085 |

HOUSE BILLS:

291. To provide for the incorporation of trust, deposit, and security companies:
- introduced by Mr. Garfield and referred..... 705
 - reported and referred to committee of the whole..... 1080
 - reported and ordered to third reading..... 1342-3
 - recommitted..... 1513-14
 - reported and passed..... 1552
 - returned from Senate..... 1714
 - reported enrolled..... 1852
 - notice of approval..... 2089
292. To amend section 42, of chapter 117, of the compiled laws, being section 3694, in relation to garnishee in justices' courts:
- introduced by Mr. Pierson and referred..... 705
 - reported and referred to committee of the whole..... 1087-8
 - reported and ordered to third reading..... 1341-3
 - passed..... 1507-8
 - returned from Senate..... 2469
 - reported enrolled..... 2554
 - notice of approval..... 2568
293. To amend sections 1 and 2, of act number 300, of session laws of 1850, being sections 193 and 194, chapter 7, of the compiled laws, entitled "An act to provide for the better management and care of the State library: "
- reported by committee on State library and referred to committee of the whole..... 748
 - reported and ordered to third reading..... 1020-2
 - passed..... 1069
 - returned from Senate..... 1253
 - reported enrolled..... 1406
 - notice of approval..... 1560
294. To repeal act number 153, session laws of 1851, being sections 200, 201, 202, and 203, chapter 7, of the compiled laws:
- reported by committee on State library and referred to committee of the whole..... 743
 - reported and ordered to third reading..... 1020-2
 - passed and title amended..... 1067
 - returned from Senate..... 1334
 - reported enrolled..... 1406
 - notice of approval..... 1561
295. To change the name of Charles Brown to Charles Brown Calvert:
- reported by committee on State affairs and referred to committee of the whole..... 751
 - reported and ordered to third reading..... 1125-6
 - passed..... 1153
 - returned from Senate..... 1467
 - reported enrolled..... 1555
 - notice of approval..... 1563
296. To amend section 6, of chapter 91, of the revised statutes of 1846, being section 3612, in chapter 116, of the compiled laws, relative to the jurisdiction of judges of probate:
- reported by committee on judiciary and referred to committee of the whole..... 754-5
 - reported and ordered to third reading..... 1103
 - passed..... 1150
 - returned from Senate..... 1399
 - reported enrolled..... 1497
 - notice of approval..... 1561

HOUSE BILLS:

297. To amend act number 14, of the session laws of 1869, entitled "An act to amend an act entitled 'An act to extend aid to the University of Michigan:'"	
introduced by Mr. Hughes and referred.....	763
reported and tabled.....	1838
298. To incorporate the village of Williamston:	
introduced by Mr. Atwood and referred.....	763
reported and referred to committee of the whole.....	1881-2
committee of the whole discharged from and passed.....	1640
returned from Senate.....	1961
reported enrolled.....	2083
notice of approval.....	2085
299. To authorize boards of supervisors to provide for the purchase of Brown's Michigan Nisi Prius Reports:	
introduced by Mr. Riford and referred.....	763-4
reported and referred to committee of the whole.....	839
committee of the whole discharged from, and ordered to third reading.....	1124
lost.....	1156
reconsidered and tabled.....	1157
taken from table and lost.....	1922-3
300. To provide for the protection of fruit trees in Berrien county, Michigan:	
introduced by Mr. Riford and referred.....	764
reported and referred to committee of the whole.....	1244
reported and ordered to third reading.....	2017
passed.....	2228
returned from Senate.....	2544
reported enrolled.....	2556
notice of approval.....	2567
301. To provide for laying out and constructing a State road in Clare and Roscommon counties, and making an appropriation of non-resident highway taxes therefor:	
introduced by Mr. J. Haynes and referred.....	764
reported and referred to committee of the whole.....	919
reported and ordered to third reading.....	1297
passed.....	1411
returned from Senate.....	2206
reported enrolled.....	2300
notice of approval.....	2565
302. To provide for laying out and constructing a State road in the county of Isabella, and appropriating certain non-resident highway taxes for the construction of the same:	
introduced by Mr. Barnaby and referred.....	766
reported and referred to committee of the whole.....	1082-3
reported and ordered to third reading.....	1535-6
passed.....	1618
returned from Senate.....	2207
reported enrolled.....	2300
notice of approval.....	2409
303. To provide for the protection and preservation of fish in certain lakes in the county of Cass:	
introduced by Mr. Copley and referred.....	766
reported and referred to committee of the whole.....	1232
reported and ordered to third reading.....	1842

HOUSE BILLS:

PAGE.

308. To provide for the protection and preservation of fish in certain lakes in the county of Cass:
passed and title amended.....1865-6
returned from Senate, and amendments non-concurred in, 2883-4
returned from Senate, amendments receded from.....2418
reported enrolled.....2551
notice of approval.....2568
304. Relating to the right of dower of married women in the lands of their deceased husbands, and to repeal all acts inconsistent therewith:
introduced by Mr. Hoyt and referred.....766
reported and referred to committee of the whole.....916
reported, all after enacting clause stricken out, and enacting clause tabled.....1806-7
305. To repeal an act entitled "An act for the maintenance and regulation of a bridge at Ives' Dock, in the town of Springwells:"
introduced by Mr. Cochrane and referred.....766
reported and tabled.....1281-2
306. To amend act number 412, of the session laws of 1869, entitled "An act to amend act number 38, entitled 'An act to prevent fishing with seines and every kind of continuous nets, in the counties of Branch, Livingston, Cass, St. Joseph, Kent, Ionia, Genesee, Roscommon, Calhoun, or in any of the lakes, rivers, or small streams of Macomb county,' approved March 9, 1869:
introduced by Mr. Dalton and referred.....766-7
reported and tabled.....1117-18
307. To regulate the execution and transfer of notes or other obligations given for patent rights:
introduced by Mr. Dalton and referred.....767
reported and referred to committee of the whole.....981
reported and ordered to third reading.....1807
passed.....1832
returned from Senate.....2218
reported enrolled.....2298
notice of approval.....2498
308. To incorporate the village of Hamtramck, in the county of Wayne:
introduced by Mr. Dalton and referred.....767
reported and referred to committee of the whole.....891
reported and ordered to third reading.....1320-1
passed.....1416
309. To provide for the laying out, establishing, and constructing a State road in the county of Lapeer, and appropriating certain non-resident highway taxes for same:
introduced by Mr. Lamb and referred.....767
310. To provide for a fund for the erection or purchase of suitable buildings for a Homeopathic State Hospital, and for the payment of the salaries of two professors in the medical department of the University of Michigan:
introduced by Mr. Post and referred.....767
reported and tabled.....1327
taken from table and recommitted.....2044
reported and tabled.....2196-7

	PAGE.
HOUSE BILLS:	
311. Ceding the jurisdiction of this State over certain lands owned by the United States:	
introduced by Mr. Houseman and referred.....	764
reported and referred to committee of the whole.....	803
reported and ordered to third reading.....	1133
passed.....	1166
returned from Senate.....	1564
reported enrolled.....	1610
notice of approval.....	2037
312. To detach certain territory from Tuscola county, and attach the same to Lapeer county:	
introduced by Mr. Rood and referred.....	768
reported and referred to committee of the whole.....	1283
reported and ordered to third reading.....	1860
lost.....	1897
313. To change the name of Franklin Dwight Smith to Franklin Dwight Martin, and to constitute him the heir-at-law of John Clark Martin and Maria Louisa Martin, of Ingham county, Michigan:	
introduced by Mr. Atwood and referred.....	768
reported and passed.....	1985-6
returned from Senate.....	2205
reported enrolled.....	2297
notice of approval.....	2496
314. To repeal act No. 271, of the session laws of 1848, being an act entitled "An act to incorporate the Flint and Fentonville plank road company," approved April 3, A. D. 1848:	
introduced by Mr. Moshier and referred.....	768
reported and referred to committee of the whole.....	1323
reported and ordered to third reading.....	1935
passed.....	1965
returned from Senate.....	2211
reported enrolled.....	2299
notice of approval.....	2495
315. Making an appropriation to complete the State road from Follett & Shoemaker's mill, in the town of Fairplain, to the village of Greenville, in Montcalm county:	
introduced by Mr. R. C. Miller and referred.....	768
reported and referred to committee of the whole.....	1584
reported and ordered to third reading.....	2138
tabled.....	2162
316. To provide for the completion and improvement of the Midland and Isabella State road, and making an appropriation of non-resident highway taxes therefor:	
introduced by Mr. J. Haynes and referred.....	768
reported and referred to committee of the whole.....	1706
reported and ordered to third reading.....	2137
passed.....	2178-9
returned from Senate.....	2436
reported enrolled.....	2558
notice of approval.....	2566

HOUSE BILLS:

317. To amend sections 1, 3, 5, 6, 7, 8, 9, 16, 22, 23, 24, 26, 29, 30, 34, 36, 37, 38, 39, 42, 43, 45, 50, 56, 57, and 60, of an act to revise the charter of the city of Flint, approved March 20, 1867, and to repeal sections 27 and 28 of said act:	
introduced by Mr. Adams and referred.....	769
reported and referred to committee of the whole.....	914
committee of the whole discharged from and passed.....	1223-4
returned from Senate.....	1816
reported enrolled.....	1457-8
notice of approval.....	1560
318. To provide for a board of public works in the city of Detroit:	
introduced by Mr. McGonegal and referred.....	769
reported and referred to committee of the whole.....	1130-1
committee of the whole discharged from and recommitted, 1830	
reported, tabled, and ordered printed.....	1572
taken from table and passed.....	1764-5
returned from Senate.....	2291
reported enrolled.....	2386
notice of approval.....	2568
319. To revise the charter of the city of Monroe:	
introduced by Mr. Grosvenor and referred.....	769
reported and referred to committee of the whole.....	957
committee of the whole discharged from and recommitted, 1401	
reported and referred to committee of the whole.....	1436
committee discharged from and ordered to third reading....	1469
passed.....	1517
returned from Senate.....	2008
reported enrolled.....	2033
notice of approval.....	2083
320. To legalize the tax-roll of the township of East Bay, in the county of Grand Traverse, for the years 1868, 1869, and 1870:	
introduced by Mr. W. H. C. Mitchell and referred.....	784
reported and referred to committee of the whole.....	1142
reported and ordered to third reading.....	1599
passed.....	1690
returned from Senate.....	1947
reported enrolled.....	1995
notice of approval.....	2084
321. To organize the township of White, in the unorganized county of Missaukee:	
introduced by Mr. W. H. C. Mitchell and referred.....	784
reported and referred to committee of the whole.....	839
reported and ordered to third reading.....	1134
passed and title amended to read "Quilna".....	1167-8
returned from Senate.....	1816
reported enrolled.....	1406
notice of approval.....	1560
322. To organize certain towns in the county of Lake:	
introduced by Mr. Gray and referred.....	784
323. To amend the charter of the city of Big Rapids:	
introduced by Mr. Gray and referred.....	785
reported and tabled.....	1379-80
taken from table and recommitted.....	1693
reported and passed.....	1704
returned from Senate.....	1797
reported enrolled.....	1852
notice of approval.....	1884

HOUSE BILLS:

324. To legalize certain roads on the north half of the northeast quarter of section 24, of the township of Easton, Ionia county:
- introduced by Mr. Kellogg and referred..... 785
 - reported and referred to committee of the whole..... 890
 - reported and ordered to third reading..... 1183
 - passed..... 1172
 - returned from Senate..... 2206
 - reported enrolled..... 2298
 - notice of approval..... 2498
325. To amend section 86 of an act entitled "An act to amend chapter 93, of the revised statutes of 1846, entitled 'Of courts held by justices of the peace,' the same being section 8738 of the compiled laws, being act number 44, as amended, approved February 14, 1861:
- introduced by Mr. Millington and referred..... 785
 - reported and referred to committee of the whole..... 1240-1
 - reported and ordered to third reading..... 1842
 - passed..... 1877
326. To amend section 1, of act 106, of the session laws of 1861, entitled "An act in relation to the collection of recognizances in criminal cases:"
- introduced by Mr. Millington and referred..... 785
 - reported and tabled..... 1241
327. To provide for laying out and constructing a State road in the county of Huron, Michigan, to be known as the extension of the Port Austin and Sanilac State road, and making an appropriation of swamp land therefor:
- introduced by Mr. Haywood and referred..... 785
 - reported and referred to committee of the whole..... 1491
 - reported and ordered to third reading..... 2216
 - lost..... 2232
328. To provide for the sale of State swamp and school lands on the north shore of Lake Michigan, in the Upper Peninsula, heretofore withheld from market as mineral lands:
- introduced by Mr. Hazen and referred..... 785
 - reported and referred to committee of the whole..... 1280
 - reported and ordered to third reading..... 1858
 - tabled..... 1893
329. To provide for the laying out and constructing a State drain or ditch in the counties of St. Clair and Sanilac, and making an appropriation of State swamp land to aid in the construction of the same:
- introduced by Mr. Hazen and referred..... 786
 - reported and referred to committee of the whole..... 889
 - reported and ordered to third reading..... 1840
 - passed..... 1435
 - returned from Senate..... 1656
 - reported enrolled..... 1799
 - notice of approval..... 2565
330. To provide for laying out, establishing, and constructing the Harrisville and Grand Traverse State road, and making an appropriation of State swamp lands for the construction of the same:
- introduced by Mr. J. Haynes and referred..... 786
 - substitute reported for and referred to committee of the whole..... 1492
 - reported and ordered to third reading..... 2117

INDEX.

2697

PAGE.

HOUSE BILLS:

330. To provide for laying out, establishing, and constructing the Harrisville and Grand Traverse State road, and making an appropriation of State swamp lands for the construction of the same:
 - lost, reconsidered, and tabled.....2124-5
 - taken from table and recommitted.....2132
 - reported and tabled.....2420
331. To amend section 11, of chapter 78, of the compiled laws, entitled "Of primary schools," being section 2254 of the compiled laws:
 - introduced by Mr. J. Haynes and referred.....786
 - reported and tabled.....1309
 - taken from table and re-referred.....1573
 - substitute reported for, adopted, and ordered to third reading.....1706
 - passed and title amended so as to read "To change the boundaries of certain factional school districts of Clarence and Sheridan, in the county of Calhoun".....1733
 - returned from Senate.....1827
 - reported enrolled.....1938
 - notice of approval.....2083
332. To provide for laying out and establishing the Alpena and Antrim State road, and making an appropriation of State swamp lands therefor:
 - introduced by Mr. J. Haynes and referred.....786
 - reported and referred to committee of the whole.....1582
 - reported and ordered to third reading.....2135
 - tabled.....2162
333. To provide for the completion and improvement of the Midland, Houghton Lake, and Grand Traverse State road, and making an additional appropriation of swamp lands therefor:
 - introduced by Mr. J. Haynes and referred.....786
 - reported and referred to committee of the whole.....1557-8
 - reported and ordered to third reading.....2137
 - lost.....2156-7
334. To provide for the construction of certain drains or ditches in the county of Midland, and making an appropriation of State swamp lands to aid in the construction of the same:
 - introduced by Mr. J. Haynes and referred.....786
 - reported and referred to committee of the whole.....1558
 - reported and ordered to third reading.....2137
 - tabled.....2156
335. To amend section 3 of an act entitled "An act to lay out and establish a State road from Angell's Landing (so called), on section 28, in township 29 north, of range 8 west, in the county of Antrim, to the center of township 29 north, of range 1 west, in the county of Otsego," being act number 432, of the session laws of 1869, approved April 3, 1869:
 - introduced by Mr. J. Haynes and referred.....787
 - reported and referred to committee of the whole.....1581-2
 - reported and ordered to third reading.....2135
 - lost.....2163
 - reconsidered and recommitted.....2164
 - reported and ordered to third reading.....2437
 - passed.....2479
 - returned from Senate.....2511
 - reported enrolled.....2555
 - notice of approval.....2566

	PAGE.
HOUSE BILLS:	
336. To amend an act entitled "An act to incorporate the village of White Pigeon," approved April 3, 1869, being act number 420, of the session laws of 1869:	
introduced by Mr. Tobey and referred.....	787
reported and tabled.....	1085
337. To provide for the drainage and reclamation of swamp lands by deepening and improving the outlet of Duck Lake, in township 19 north, of range 6 east, in Bay county:	
introduced by Mr. Bates and referred.....	787
reported and referred to committee of the whole.....	1583
reported and ordered to third reading.....	2138
tabled.....	2161
taken from table and passed.....	2493
reconsidered, and return from Senate requested.....	2506
returned and tabled.....	2519-20
338. To extend the limits of Bay City:	
introduced by Mr. Bates and referred.....	787
reported and tabled.....	902
taken from table and recommitted.....	1093
substitute reported for, and referred to committee of the whole.....	1118
committee of the whole discharged from.....	1353
passed and title amended so as to read: "To provide for holding the annual township meeting in the township of Marquette, in the county of Marquette, for the year 1871".....	1470-1
returned from Senate.....	1564
reported enrolled.....	1610
notice of approval.....	1823
339. To authorize Bay City to borrow money and issue bonds therefor, to construct a plank road from Bay City to Carr's Corners, in the county of Tuscola:	
introduced by Mr. Bates and referred.....	787
reported and referred to committee of the whole.....	1044
reported and ordered to third reading.....	1341-3
tabled.....	1520-1
returned from Senate.....	2277
reported enrolled.....	2500
notice of approval.....	
340. To amend section 6, of chapter 26, of the revised statutes of 1846, being section 1091, of chapter 23, of the compiled laws:	
introduced by Mr. Riford and referred.....	788
reported and referred to committee of the whole.....	933-4
reported and ordered to third reading.....	1577-9
passed and title amended.....	1671
reconsidered, amended, and passed.....	1680
returned from Senate.....	2203
reported enrolled.....	2298
notice of approval.....	2497
341. To amend an act entitled "An act to provide for the incorporation of slack-water navigation companies, for the improvement of rivers in the counties of St. Joseph, Cass, Berrien, and Cheboygan, and defining their powers and duties," approved March 25, 1867:	
introduced by Mr. Fenton and referred.....	788

INDEX.

2699

PAGE.

HOUSE BILLS:

341. To amend an act entitled "An act to provide for the incorporation of slack-water navigation companies, for the improvement of rivers in the counties of St. Joseph, Cass, Berrien, and Cheboygan, and defining their powers and duties," approved March 25, 1867:
 substitute reported for adopted, and referred to committee
 of the whole1608-9
 reported and ordered to third reading..... 2138
 passed 2168
 returned from Senate..... 2278
 reported enrolled 2386
 notice of approval..... 2499
342. To repeal act number 191, of the session laws of 1867, entitled
 "An act to amend an act entitled an act imposing a specific
 tax upon corporations and chartered companies engaged in
 the business of mining, smelting, and refining ores in this
 State," approved March 10, 1865, approved March 27, 1867:
 introduced by Mr. S. W. Hill and referred..... 788
 reported and tabled.....1927-8
343. To repeal act number 65, of the session laws of 1869, entitled
 "An act to provide for the further geological survey of the
 State," approved March 26, 1869:
 introduced by Mr. S. W. Hill and referred..... 788
344. To provide for the more speedy foreclosure of mortgages in
 certain cases:
 introduced by Mr. Cochrane and referred..... 788
345. To amend section 6, of chapter 34, of the revised statutes of
 1846, being section 1317, in chapter 35, of the compiled laws,
 in relation to interest on judgments, verdicts, etc.:
 introduced by Mr. Cochrane and referred..... 789
346. To amend section 4 of an act entitled "An act to amend an
 act to provide for canal, or harbors, and to improve the
 same, approved March 13, 1861, and an act amendatory
 thereto, approved January 18, 1862," approved March 20,
 1863:
 introduced by Mr. Cochrane and referred..... 789
347. To authorize the formation of corporations to provide the
 members thereof with homesteads or lots of land suitable for
 homesteads:
 introduced by Mr. Garfield and referred..... 789
348. To lay out and establish a swamp land State road from Copper
 Harbor, across the Mineral Range and the valley of the Mon-
 treal river, to the northwest quarter of section 35, town 58
 north, range 29 west, on Bete de Gris, in the county of Ke-
 weenaw:
 introduced by Mr. S. W. Hill and referred..... 789
 reported and referred to committee of the whole..... 1082
 reported and ordered to third reading..... 1343
 passed and title amended..... 1516
 returned from Senate..... 1952
 reported enrolled..... 2033
 notice of approval..... 2565

HOUSE BILLS:

349. To lay out and establish a swamp land State road from Gratiot river, in the line of the mineral range State road, in the township of Clifton, county of Keweenaw, to the head of Torch Lake, in the township of Schoolcraft, county of Houghton:	
introduced by Mr. S. W. Hill and referred.....	536
reported and referred to committee of the whole.....	1080
reported and ordered to third reading.....	1343
passed and title amended.....	1514-15
returned from Senate.....	2211
reported enrolled.....	2298
notice of approval.....	2565
350. To amend sections 23 and 25, of chapter 72, of the revised statutes of 1846, being sections 2938 and 2940 of the compiled laws, relative to appeals from the decision of commissioners on the estates of deceased persons:	
introduced by Mr. C. B. Grant and referred.....	790
reported and referred to committee of the whole.....	2239
reported and ordered to third reading.....	2422
passed.....	2458
returned from Senate.....	2511
reported enrolled.....	2555
notice of approval.....	2560
351. To amend section 106, chapter 34, of the revised statutes of 1846, being section 1314, in chapter 35, of the compiled laws, in relation to the interest of money:	
introduced by Mr. Cochrane and referred.....	790
352. To revise and amend an act entitled "An act to incorporate the city of Muskegon:"	
introduced by Mr. Holt and referred.....	790
reported and referred to committee of the whole.....	1222-3
reported and ordered to third reading.....	1597
passed.....	1601-2
returned from Senate.....	1663
reported enrolled.....	1938
notice of approval.....	2038
353. To provide a tax for the expenses of the State government:	
introduced by Mr. Holt and referred.....	790
reported and referred to committee of the whole.....	1698
reported and ordered to third reading.....	2404
passed.....	2450
returned from Senate.....	2516
reported enrolled.....	2558
notice of approval.....	2565
354. To provide an additional sum for the payment of the members and officers of the Legislature, for the year 1871:	
introduced by Mr. Holt and referred.....	790
reported and referred to committee of the whole.....	1699
reported and ordered to third reading.....	2405
passed.....	2441
returned from Senate.....	2544
reported enrolled.....	2555
notice of approval.....	2561

INDEX.

2701

PAGE.

HOUSE BILLS:

353. To amend sections 4, 6, and 9, and repeal section 7 of an act entitled "An act to provide for the further geological survey of the State," approved March 26, 1869:
- introduced by Mr. Holt and referred 700
 - reported and referred to committee of the whole 1450-3
 - committee of the whole discharged from, substitute adopted for 1852-5
 - tabled and ordered printed 1855
 - taken from table and recommitted 1928
 - reported and passed, and title amended 2248-9
 - returned from Senate 2321
 - reported enrolled 2501
 - notice of approval 2566
356. To provide for the payment of bounties by the State Treasurer, upon the warrant of the Auditor General:
- introduced by Mr. Holt and referred 791
 - reported and referred to committee of the whole 1032
 - reported and ordered to third reading 1342-3
 - passed 1479
 - returned from Senate 2206
 - reported enrolled 2298
 - notice of approval 2559
357. To provide for the publication of the laws of 1871:
- introduced by Mr. Holt and referred 791
 - reported and referred to committee of the whole 1233
 - reported and ordered to third reading 1600
 - passed 1728
 - returned from Senate 1899
 - reported enrolled 2187
 - notice of approval 2495
358. To provide for the payment of the interest on the State debt:
- introduced by Mr. Holt and referred 791
 - reported and referred to committee of the whole 1699
 - reported and ordered to third reading 2139
 - passed 2172
 - returned from Senate 2470
 - reported enrolled 2557
 - notice of approval 2564
359. To amend section 31 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes," approved April 6, 1869:
- introduced by Mr. Holt and referred 791
 - reported and referred to committee of the whole 1033
 - reported and ordered to third reading 1341-3
 - recommitted 1480
 - reported and tabled, and ordered printed 1744
 - taken from table, passed, and title amended 2388
 - returned from Senate 2469
 - reported enrolled 2554
 - notice of approval 2563
360. To provide for the assessment of certain taxes in the third ward of the city of Muskegon:
- introduced by Mr. Holt and referred 791
 - substitute reported for, adopted, tabled, and ordered printed 2226
 - taken from table and passed, and title amended so as to read: "To amend section 65 of an act entitled 'An act to revise and amend an act entitled An act to incorporate the city of Muskegon'" 2389-90

HOUSE BILLS :

360. To provide for the assessment of certain taxes in the third ward of the city of Muskegon :	
returned from Senate.....	2467
reported enrolled.....	2557
notice of approval.....	2566
361. To regulate the payment of funds from the State Treasury :	
introduced by Mr. Holt and referred.....	791
362. To provide for the improvement and completion of the Mineral Range State road extension, and the Ontonagon and State line State road :	
introduced by Mr. Harris and referred.....	791
reported and referred to committee of the whole.....	1001
reported and ordered to third reading.....	1341-2
tabled.....	1477
taken from table and recommitted.....	2016
reported and passed.....	2240
returned from Senate.....	2435
reported enrolled.....	2552
notice of approval.....	2563
363. To incorporate the village of Cheboygan :	
introduced by Mr. Fenton and referred.....	792
reported and referred to committee of the whole.....	1081
reported and ordered to third reading.....	2215
passed.....	2231
returned from Senate.....	2435
reported enrolled.....	2557
notice of approval.....	2566
364. To lay out and establish a State road from the village of Cheboygan, in the county of Cheboygan, to Little Traverse Bay, in Emmet county :	
introduced by Mr. Fenton and referred.....	792
reported and referred to committee of the whole.....	1492
reported and ordered to third reading.....	2054
tabled.....	2114
taken from table and passed.....	2332-3
returned from Senate.....	2379
reported enrolled.....	2558
notice of approval.....	2566
365. To incorporate the village of Laingsburgh :	
introduced by Mr. C. Y. Osburn and referred.....	792
reported and referred to committee of the whole.....	1003
reported and ordered to third reading.....	1578-9
passed.....	1678
returned from Senate.....	2187
reported enrolled.....	2202
notice of approval.....	2376
366. To amend section 57, of chapter 103, of revised statutes of 1846, being section 4399, of chapter 120, of compiled laws, relative to verdicts of juries :	
introduced by Mr. Cochrane and referred.....	792
reported and referred to committee of the whole.....	932
reported and ordered to third reading.....	1320-1
passed.....	1420
reconsidered, amended, and passed.....	1436-7
returned from Senate amended.....	1650
reported enrolled.....	1814
notice of approval.....	2038

HOUSE BILLS:

367. To repeal section 6, of chapter 94, of the revised statutes of 1846, being section 3929 of the compiled laws: introduced by Mr. Gray and referred.....	793
368. To amend section 1, of an act entitled "An act to require all State boards to make annual reports," approved February 19, 1869: introduced by Mr. Holt and referred.....	793
369. To amend section 16, of chapter 7, and being consecutive section 163, of the compiled laws, relating to the fiscal year: introduced by Mr. Holt and referred.....	793
370. To detach certain territory from the county of Sanilac, and attach the same to the county of Lapeer: introduced by Mr. Lamb and referred..... reported and referred to committee of the whole..... reported and all after enacting clause stricken out, and enacting clause referred.....	793 1129-30 1598-1602
371. To amend section 149, of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869: introduced by Mr. Cochrane and referred..... reported and referred to committee of the whole..... reported, all after enacting clause stricken out, and enacting clause tabled.....	793 1032-3 1578-9
372. To vacate certain townships in the county of Houghton, and attach the territory of the same to other townships in said county: introduced by Mr. Holland and referred..... reported and tabled.....	793 2316
373. To incorporate the union school district of the city of Owosso: introduced by Mr. C. Y. Osburn and referred..... reported and referred to committee of the whole..... reported and ordered to third reading..... passed..... returned from Senate..... reported enrolled..... notice of approval.....	794 892 1133 1175 1465 1555 1822
374. Relating to foreign co-operative and mutual benefit associations transacting business in this State: introduced by Mr. C. Y. Osburn and referred..... reported and tabled.....	794 1813
375. To apportion anew the Representatives among the several counties and districts in this State: reported by the committee on re-districting the State and referred to committee of the whole..... committee of the whole discharged from and recommitted, reported and ordered to third reading..... taken from order of third reading, tabled, and ordered printed..... taken from table and passed..... returned from Senate..... reported enrolled..... notice of approval.....	802 1806 2252 2300 2305-6 2469 2558 2564

HOUSE BILLS:		PAGE.
376. Making appropriation for the Michigan Institution for educating the deaf and dumb, and the blind, for the years 1871 and 1872:		
reported by the committee on Deaf, Dumb, and Blind Asylum and referred to committee of the whole.....	809	
committee of the whole discharged from and made special order.....	1592	
reported and recommitted.....	1703	
reported and tabled.....	1815-16	
taken from table and made special order.....	1817	
reported and tabled.....	1943	
377. To determine the width of the Goodrichville and Lower Saginaw State road, in the townships of Millington, Vassar, Tuscola, and Denmark, in Tuscola county:		
introduced by Mr. Huston and referred.....	816	
reported and referred to committee of the whole.....	1143	
reported and ordered to third reading.....	1599	
passed and title amended.....	1716-17	
returned from Senate.....	2190	
reported enrolled.....	2202	
notice of approval.....	2497	
378. To provide for judgment and costs in mandamus cases:		
introduced by Mr. Huston and referred.....	816	
reported and referred to committee of the whole.....	916	
reported and ordered to third reading.....	1297-9	
passed.....	1410	
returned from Senate.....	1664	
reported enrolled.....	1814	
notice of approval.....	2037	
379. To provide for the drainage and reclamation of swamp lands by means of a State road and ditch in the townships of Guilford and Wisner, in Tuscola county:		
introduced by Mr. Huston and referred.....	816	
reported and tabled.....	1384	
380. To change the name of Edna F. Flowers to Edna F. June, and to constitute her heir at-law of David June:		
introduced by Mr. Huston and referred.....	816	
reported and referred to committee of the whole.....	961	
reported and ordered to third reading.....	1338-9	
passed.....	1430	
returned from Senate.....	2041	
reported enrolled.....	2185	
notice of approval.....	2375	
381. To aid in the construction of the Tuscola and Saginaw Bay State road, and making an appropriation of State swamp lands therefor:		
introduced by Mr. Huston and referred.....	816	
reported and referred to committee of the whole.....	1580-1	
reported and ordered to third reading.....	2135	
tabled.....	2161	
382. To aid in the completion of the Caro and Wells State road, in the county of Tuscola, and making an appropriation of State swamp land for the same:		
introduced by Mr. Huston and referred.....	816	
reported and referred to committee of the whole.....	1585	
reported and ordered to third reading.....	2135	
tabled.....	2163	

HOUSE BILLS:

383. To organize the township of Benton, in the county of Cheboygan:	
introduced by Mr. Fenton and referred	817
reported and referred to committee of the whole	998
reported and ordered to third reading	1338-9
passed	1434
returned from Senate	1662
reported enrolled	1815
notice of approval	1885
384. To remit certain specific taxes therein named:	
introduced by Mr. Hart and referred	817
reported and referred to committee of the whole	1282-3
reported and recommitted	1862
reported and passed	2080
returned from Senate	2207
reported enrolled	2299
notice of approval	2498
385. To establish a county uniformity of text-books in the public schools:	
introduced by Mr. C. B. Grant and referred	817
reported and referred to committee of the whole	958
reported and ordered to third reading	1596-9
lost	1687-8
reconsidered and recommitted	1734
386. To regulate the sale of poisons, and the practice of pharmacy, in the State of Michigan:	
introduced by Mr. C. B. Grant and referred	817
387. Granting to the several counties in this State the unsold and unappropriated State swamp lands situated within each of said counties, for the purpose of ditching, draining, and reclaiming the same:	
introduced by Mr. Hazen and referred	817
reported and tabled	1634
388. To amend sections 10 and 12 of an act entitled "An act in relation to life insurance companies transacting business within this State," approved March 30, 1869, and to add three new sections thereto, to stand as sections 27, 28, and 29:	
introduced by Mr. C. B. Grant and referred	817
reported and referred to committee of the whole	1535
reported and ordered to third reading	1843
passed	1868
returned from Senate	2001
reported enrolled	2033
notice of approval	2085
389. To change the name of Barbara Walker to Ada Putney, and constitute her heir-at-law of John E. Putney:	
introduced by Mr. Post and referred	818
reported and referred to committee of the whole	938
reported and ordered to third reading	1338-9
passed	1428
returned from Senate	1946
reported enrolled	1995
notice of approval	2084

	PAGE.
HOUSE BILLS:	
390. Giving the common council of the city of Ypsilanti power to vacate cemeteries:	
introduced by Mr. Post and referred.....	818
reported and referred to committee of the whole.....	960
reported and ordered to third reading.....	1338-9
passed and title amended.....	1429
returned from Senate.....	1889
reported enrolled.....	1945
notice of approval.....	2083
391. To change the name of the township of Lovell, in Muskegon county, to Fruitport:	
introduced by Mr. Holt and referred.....	818
reported and referred to committee of the whole.....	998
reported and ordered to third reading.....	1338-9
passed.....	1434
returned from Senate.....	1866
reported enrolled.....	1945
notice of approval.....	2083
392. To detach certain territory from the township of Norton, and attach the same to the township of Fruitport, in the county of Muskegon:	
introduced by Mr. Holt and referred.....	818
reported and referred to committee of the whole.....	1302-3
committee of the whole discharged from and ordered to third reading.....	1505
passed.....	1521
returned from Senate.....	1663
reported enrolled.....	1815
notice of approval.....	2038
393. To amend act number 138, of the session laws of 1867, being an act entitled "An act to amend section 1, of chapter 70, of the revised statutes of 1856, being section 2877, of chapter 94, of the compiled laws, entitled 'Of the administration and distribution of the estates of deceased persons:,'"	
introduced by Mr. J. M. Osborn and referred.....	818
reported and referred to committee of the whole.....	1454-5
reported and ordered to third reading.....	2055
passed.....	2109
returned from Senate.....	2205
reported enrolled.....	2299
notice of approval.....	2495
394. To amend section 12, of act number 39, of session laws of A. D. 1869, approved March 17th, A. D. 1869, entitled "An act authorizing the locating, establishing, and constructing of ditches, drains, and water-courses by highway commissioners of townships," and repealing all acts relating thereto:	
introduced by Mr. J. M. Osborn and referred.....	819
395. To amend act No. 84, of the session laws of 1869, entitled "An act to amend an act entitled 'An act to amend sections 4339, 4340, 4341, and 4342, of the compiled laws, in relation to the competency of witnesses and examination of parties in certain cases,'" approved March 11, 1869:	
introduced by Mr. J. M. Osborn and referred.....	819
reported and tab'ed.....	1455
396. To repeal chapter 167 of the compiled laws, being chapter 142, of the revised statutes of 1846, relative to fraudulent and insolvent debtors:	
introduced by Mr. Cochrane and referred.....	819

INDEX.

2707

	PAGE.
HOUSE BILLS:	
397. To repeal sections 200, 201, 202, 203, of chapter 7, in the compiled laws, relative to the State library :	
introduced by Mr. Cochrane and referred.....	819
reported and referred to committee of the whole.....	901-2
all after enacting clause stricken out, and enacting clause tabled.....	1185
taken from table and referred.....	1192-3
substitute reported for and passed, and title amended so as to read: "To provide the place for holding the annual township election for the township of Flint, in the county of Genesee, for the year 1871".....	1208-9
returned from Senate.....	1260
reported enrolled.....	1405
notice of approval.....	1813
398. To amend sections 1 and 9, of act number 309, of the session laws of 1869, entitled "An act to organize union school district of the city of Flint:"	
introduced by Mr. Adams and referred.....	819-20
reported and referred to committee of the whole.....	1119
committee of the whole discharged from, and passed.....	1533
returned from Senate.....	1663
reported enrolled.....	1712
notice of approval.....	1885
399. To incorporate the village of Richland, in the county of Kalamazoo, in Michigan :	
introduced by Mr. E. R. Miller and referred.....	820
reported and passed.....	1043-4
returned from Senate.....	1253
reported enrolled.....	1406
notice of approval.....	1560
400. To amend the charter of the village of Milford :	
introduced by Mr. Pattengell and referred.....	820
reported and referred to committee of the whole.....	936
reported and ordered to third reading.....	1338
passed.....	1427
returned from Senate.....	1837
reported enrolled.....	1989
notice of approval.....	2083
401. To amend section 127, of act No. 186, of the session laws of 1863, being an act entitled "An act to amend an act entitled an act to amend sections 11 and 127, of chapter 117, of the compiled laws, relative to security for costs in justices' courts :	
introduced by Mr. Montgomery and referred.....	820
reported and referred to committee of the whole.....	1307
reported and ordered to third reading.....	1933
passed.....	1964
returned from Senate.....	2520
reported enrolled.....	2556
notice of approval.....	2561
402. To establish a police government in the city of Detroit :	
introduced by Mr. Cochrane and referred.....	820
reported and referred to committee of the whole.....	930
committee of the whole discharged from and passed.....	1527
returned from Senate.....	2277
reported enrolled.....	2500
notice of approval.....	2566

HOUSE BILLS:

403. To confirm the powers, rights, and privileges of the board of metropolitan police in the city of Detroit, and its appointees, as organized and appointed under and by virtue of an act entitled "An act to establish a police government in the city of Detroit," approved February 24, 1865:
- | | |
|------------------------------------------------------|--------|
| introduced by Mr. Cochrane and referred..... | 820 |
| reported and referred to committee of the whole..... | 1241-2 |
| reported and ordered to third reading..... | 1843 |
| passed..... | 1875 |
| returned from Senate..... | 2470 |
| reported enrolled..... | 2558 |
| notice of approval..... | 2564 |
404. To amend an act entitled "An act to revise the charter of the city of Detroit," approved February 5, 1857, as amended by the several acts amendatory thereof, and to add several sections thereto, and to repeal certain sections thereof:
- | | |
|---------------------------------------------------------------------------------------------|---------|
| introduced by Mr. Cochrane and referred..... | 821 |
| reported and referred to committee of the whole..... | 960 |
| reported and ordered to third reading..... | 1843 |
| passed..... | 1864 |
| returned from Senate and tabled..... | 2088-9 |
| taken from table and Senate amendments non-concurred in..... | 2303-4 |
| returned from Senate, amendments insisted on, and committee of conference appointed on..... | 2361 |
| returned from Senate and tabled..... | 2428-30 |
| taken from table and second committee of conference appointed on..... | 2461 |
| returned from Senate..... | 2503 |
| reported enrolled..... | 2556 |
| notice of approval..... | 2567 |
405. To change the name of the township of Ash, in Monroe county, to Grafton:
- | | |
|--------------------------------------------------------------------------------------------------------------------------|------|
| introduced by Mr. Gorman and referred..... | 821 |
| reported and ordered to third reading..... | 1226 |
| passed, and title amended so as to read: "To change the name of Big Black Lake, in Muskegon county, to Lake Harbor"..... | 1266 |
| returned from Senate..... | 1666 |
| reported enrolled..... | 1712 |
| notice of approval..... | 2038 |
406. To provide for the protection of labor and persons furnishing material for the construction and repairing of railroads in this State:
- | | |
|----------------------------------------------------------------------|--------|
| introduced by Mr. Adsit and referred..... | 821 |
| reported and referred to committee of the whole..... | 918 |
| reported and referred to committee on judiciary..... | 1298-9 |
| substitute reported for, and referred to committee of the whole..... | 1306 |
| reported and ordered to third reading..... | 1861 |
| passed..... | 1907 |
| returned from Senate..... | 2190 |
| reported enrolled..... | 2398 |
| notice of approval..... | 2496 |

HOUSE BILLS:

PAGE.

407. To incorporate the city of Hastings:
 introduced by Mr. R. J. Grant and referred 821
 reported and referred to committee of the whole 918
 committee of the whole discharged from and passed 1174
 returned from Senate amended 1255
 reported enrolled 1405
 notice of approval 1388
408. To amend an act entitled "An act to provide for a uniform assessment of property, and for collecting and returning taxes thereon," approved April 6, 1869:
 introduced by Mr. Hoyt and referred 821
 reported and tabled 1449-50
409. To further amend an act entitled "An act to provide for the construction of tram railways:"
 introduced by Mr. Hoyt and referred 821
 reported and referred to committee of the whole 1287-8
 reported and ordered to third reading 1859
 passed 1893
 returned from Senate 2152
 reported enrolled 2186
 notice of approval 2409
410. Providing a name for a certain male child, and constituting him the heir-at-law of Jacob Bush and Susan Bush:
 introduced by Mr. Barnaby and referred 822
 reported and referred to committee of the whole 1369
 reported and ordered to third reading 1933
 passed 1967
 returned from Senate 2209
 reported enrolled 2299
 notice of approval 2498
411. To amend section 3, of act number 161, of the session laws of 1859, entitled "An act to establish graded and high schools:"
 introduced by Mr. Gibson and referred 822
 reported and referred to committee of the whole 1228
 reported and ordered to third reading 1600
 passed 1723
412. To amend section 2266 of the compiled laws, as amended by section 23, of act 176, of the session laws of 1861, entitled "Of primary schools:"
 introduced by Mr. Gibson and referred 822
 reported and tabled 1287
413. To establish an insurance bureau:
 introduced by Mr. Gray and referred 823
 reported and referred to committee of the whole 1441-2
 considered in committee of the whole 2133
 reported and ordered to third reading 2135
 passed 2159
 returned from Senate 2278
 reported enrolled 2300
 notice of approval 2495
414. To amend sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, and 20, of an act entitled "An act to provide for the incorporation of water-power companies," approved March 20, 1863, and section 15, as amended by act number 51, of the session laws of 1869:
 introduced by Mr. Roof and referred 822

HOUSE BILLS:

414. To amend sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, and 20, of an act entitled "An act to provide for the incorporation of water-power companies," approved March 20, 1863, and section 15, as amended by act number 51, of the session laws of 1869:	
reported and referred to committee of the whole.....	1032
reported and ordered to third reading.....	1578
passed and title amended.....	1679
returned from Senate.....	2041
reported enrolled.....	2185
notice of approval.....	2409
415. To amend section 3, of article 6, of act number 428, of the session laws of 1869:	
introduced by Mr. Riford and referred.....	822
416. To amend sections 1, 11, and 13, of act number 163, of the session laws of 1861, entitled an act relative to laying out, altering, and discontinuing highways:	
introduced by Mr. Copley and referred.....	823
reported and tabled.....	1324
taken from table and referred to committee of the whole..	1533
reported and ordered to third reading.....	2215
passed.....	2294
417. To amend sections seven and eight of an act entitled "An act to incorporate the village of Lyons," approved March 1st, 1867, and to add a new section thereto:	
introduced by Mr. Roof and referred.....	823
reported and referred to committee of the whole.....	1633
reported and ordered to third reading.....	2136
passed.....	2171
returned from Senate.....	2470
reported enrolled.....	2555
notice of approval.....	2563
418. To organize the township of Ely, in the county of Marquette:	
introduced by Mr. Swineford and referred.....	823
reported and referred to committee of the whole.....	1035
reported and ordered to third reading.....	1341-3
passed.....	1506
returned from Senate.....	1663
reported enrolled.....	1852
notice of approval.....	2038
419. Authorizing the State Treasurer to deliver the railroad bonds to the townships depositing the same:	
introduced by Mr. Riford and referred.....	823
reported and referred to committee of the whole.....	1501
reported and ordered to third reading.....	2117
recommitted.....	2125
reported and passed.....	2197-8
420. To amend section 4326, chapter 127, of the compiled laws, entitled "Evidence:"	
introduced by Mr. Montgomery and referred.....	823
reported and referred to committee of the whole.....	1307
reported and ordered to third reading.....	1859
passed and title amended.....	1908
returned from Senate.....	2190
reported enrolled.....	2202
notice of approval.....	2497

HOUSE BILLS:

421. To amend sections 24, 26, 28, 31, 33, and 34, of an act relative to the organization and powers of fire and marine insurance companies transacting business within this State, approved April 3, 1869:	
introduced by Mr. Little and referred.....	823
substitute reported for and referred to committee of the whole.....	1235-6
reported and ordered to third reading.....	1844
passed and title amended.....	1874
returned from Senate.....	2283
reported enrolled.....	2386
notice of approval.....	2409
422. To amend sections 2, 3, and 4, of article 13, and section 2, of article 15, of an act entitled "An act to incorporate the village of Chesaning, in the county of Saginaw:"	
introduced by Mr. Little and referred.....	823-4
reported and referred to committee of the whole.....	937
reported and ordered to third reading.....	1340
passed.....	1472-3
returned from Senate.....	1666
reported enrolled.....	1814
notice of approval.....	1885
423. To provide for the settlement of State accounts and for the collection of the same:	
introduced by Mr. Holland and referred.....	824
reported and re-referred.....	1227
424. To amend sections 2 and 7 of an act entitled "An act to amend sections 2 and 7 of an act entitled 'An act to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts,' approved March 15, 1871, as amended by act No. 415, of the session laws of 1867, approved March 22, 1867, also to add a new section, to stand as sec. 35:	
introduced by Mr. Cameron and referred.....	824
reported and referred to committee of the whole.....	936
reported and ordered to third reading.....	1576
passed.....	1674
425. To amend act No. 28, of the session laws of 1869, entitled "An act to amend act No. 58, of the session laws of 1867," approved March 15, 1867, entitled "An act to repeal all existing laws, rules, and provisions of laws restricting or controlling the right of a party to agree with an attorney, solicitor, or counsel for his compensation, and to more accurately fix and determine the costs to be allowed to the prevailing parties in suits at law in the circuit court, and to repeal section 2 of said act:"	
introduced by Mr. Atwood and referred.....	824
426. To amend the charter of the village of Bellevue:	
introduced by Mr. Hughes and referred.....	824
reported and referred to committee of the whole.....	1272
committee of the whole discharged from and passed, and title amended so as to read: "To constitute the president and board of trustees of the village of Bellevue the commissioners of highways thereof, and to make the street commissioners the overseers of highways of said village, and to create a board of control for bridges within said village"	
returned from Senate.....	1840
reported enrolled.....	2041
notice of approval.....	2186
	2496

	PAGE.
HOUSE BILLS:	
427. To amend sections 40 and 60 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869:	
introduced by Mr. Hughes and referred.....	825
reported and referred to committee of the whole.....	1033
reported and ordered to third reading.....	1342-3
passed.....	1481
returned from Senate.....	1947
reported enrolled.....	1995
notice of approval.....	2375
428. To amend section 31, of act number 134, session laws of 1859, being "An act to incorporate the city of Niles: "	
introduced by Mr. Edwards and referred.....	825
reported and referred to committee of the whole.....	890
reported and ordered to third reading.....	1319-21
passed.....	1415
returned from Senate.....	1666
reported enrolled.....	1799
notice of approval.....	1884
429. To amend act number 112, of the session laws of 1869, entitled "An act to promote immigration: "	
introduced by Mr. Roost and referred.....	825
430. To aid in the completion of that part of the Newaygo and Dayton State road, between White river, in the county of Newaygo, and the northwest corner of said county, and making an appropriation of swamp lands therefor:	
introduced by Mr. Gray and referred.....	825
reported and tabled.....	1634-5
taken from table and re-referred.....	1932
substitute reported for, adopted and passed, and title amended so as to read "To authorize the Quartermaster General to collect evidence of certain claims of pay of soldiers, enlisted during the years 1861 and 1862, and to present the same to the United States ".....	1984-5
431. Relative to proceedings supplementary to the execution:	
introduced by Mr. Gray and referred.....	785
reported and referred to committee of the whole.....	1238-9
reported and ordered to third reading.....	1842
passed.....	1869
432. To provide for the laying out and constructing a State road from the east line of Leavitt, in Oceana county, to the village of Hart, in said county, and making an appropriation of swamp lands therefor:	
introduced by Mr. Gray and referred.....	826
reported and referred to committee of the whole.....	1312
reported and ordered to third reading.....	1861
passed.....	1911
433. For the relief of Francis Pond:	
introduced by Mr. Bates and referred.....	829
434. To provide for laying out and establishing a State road from town 24 north, of range 4 east, to the meridian:	
introduced by Mr. Bates and referred.....	829
reported and referred to committee of the whole.....	1557
reported and ordered to third reading.....	2216
passed.....	2327
returned from Senate.....	2470
reported enrolled.....	2554
notice of approval.....	2564

HOUSE BILLS:

435. Providing for the laying out and constructing a ditch or drain in Newark and Arcadia, Gratiot county, and appropriating State swamp land for the same:	
introduced by Mr. Barnaby and referred.....	829
reported and referred to committee of the whole.....	1554
reported and ordered to third reading.....	2187
lost.....	2155
reconsidered and tabled.....	2156
taken from table and passed.....	2806
returned from Senate.....	2511
reported enrolled.....	2558
notice of approval.....	2568
436. To divide the State into nine Congressional districts:	
introduced by Mr. Hazen and referred.....	829
437. To change the name of James Selkrig, Hannah Selkrig, James Edward Selkrig, Henrietta Elizabeth Selkrig, Adda Bell Selkrig, and Charles Manly Selkrig, to Selkirk:	
introduced by Mr. Watkins and referred.....	829
reported and referred to committee of the whole.....	2082
reported and ordered to third reading.....	2221
passed.....	2338
returned from Senate.....	2470
reported enrolled.....	2557
notice of approval.....	2564
438. To authorize school district number 9, of the township of Battle Creek, in the county of Calhoun, to issue bonds:	
introduced by Mr. Brown and referred.....	829
reported and referred to committee of the whole.....	1228-9
reported and ordered to third reading.....	1599
passed.....	1722
returned from Senate.....	1839
reported enrolled.....	1945
notice of approval.....	2083
439. To legalize the tax-roll of Dwight township, in Huron county, for the year 1869:	
introduced by Mr. Haywood and referred.....	830
reported and tabled.....	928
440. To provide for the construction of a State road in the counties of Isabella, Midland, and Clare, and appropriating certain non-resident highway tax for the construction of the same:	
introduced by Mr. Little and referred.....	830
reported and tabled.....	1708-9
taken from table and recommitted.....	1734-5
reported and passed.....	1820
returned from Senate.....	2002
reported enrolled.....	2185
notice of approval.....	2409
441. To repeal an act entitled "An act to promote immigration to Michigan," approved April 3, 1869, being act number 112 of the session laws of 1869:	
introduced by Mr. Millington and referred.....	830
442. To amend an act entitled "An act to amend an act to provide for the government of the State University, and to repeal chapter 57, of the revised statutes of 1846," approved February 12, 1855:	
introduced by Mr. Hart and referred.....	830
reported and referred to committee on State affairs.....	927-8
reported and tabled.....	1308-9

	PAGE.
HOUSE BILLS :	
443. To authorize the collection of a certain ditch tax in the township of Ash, Monroe county :	
introduced by Mr. Gorman and referred.....	830
reported and referred to committee of the whole.....	1045
reported and ordered to third reading.....	1843
passed and title amended.....	1433
returned from Senate.....	1952
reported enrolled.....	2033
veto message on.....	2376-8
444. To incorporate union school district number one, of the township of Caledonia, in the county of Shiawassee :	
introduced by Mr. Garrison and referred.....	830
reported and referred to committee of the whole.....	927
reported and ordered to third reading.....	1820-1
passed and title amended so as to read : "To incorporate the public schools of the city of Corunna".....	1418
returned from Senate.....	1653
reported enrolled.....	1814
notice of approval.....	2038
445. To amend section 27, of chapter 106, of the revised statutes of 1846, being section 4465, in chapter 181, of the compiled laws, entitled "Of judgments and executions," and to add a new section thereto, to stand as section 55 :	
introduced by Mr. Riford and referred.....	831
446. To authorize the highway commissioners to construct roads on petition of a majority of resident land-owners along and adjacent to the line of said roads :	
introduced by Mr. Sumner and referred.....	831
reported and referred to committee of the whole.....	1274-5
reported and ordered to third reading.....	1857-8
passed.....	1891
447. To authorize townships to appropriate land for cemetery purposes :	
introduced by Mr. Crane and referred.....	831
448. To amend sections one and eight of an act entitled "An act to provide for a State board of equalization," approved April 7, 1851, being sections number 223 and 230, of chapter 7, of the compiled laws :	
introduced by Mr. Holland and referred.....	831
reported and referred to committee of the whole.....	959
reported and ordered to third reading.....	1338-9
passed.....	1431
returned from Senate.....	2066
reported enrolled.....	2187
notice of approval.....	2375
449. For the laying out of cities and villages, with such municipal conditions as shall be set forth by those that shall plat the same, and for the electors subject to taxation, organizing the same :	
introduced by Mr. Montgomery and referred.....	831
450. To provide for laying out and establishing a State road from Midland City to the west line of Midland county, on the south side of Pine river, and making appropriations therefor :	
introduced by Mr. J. Haynes and referred.....	831
substitute reported for, and referred to committee of the whole.....	1377
reported and ordered to third reading.....	2017
passed.....	2092-3

HOUSE BILLS:

451. To amend section 43, of chapter 93, of the revised statutes of A. D. 1846, as amended by act approved February 13, A. D. 1855, being consecutive section 3695, chapter 117, of the compiled laws, entitled "Of courts held by justices of the peace:" introduced by Mr. J. M. Osborn and referred.....	832
452. To amend section 81, of act number 266, approved March 27, A. D. 1867, entitled "An act to revise the charter of the village of Hudson," also section 52, of act number 360, approved March 30, A. D. 1869, entitled "An act to amend an act to revise the charter of the village of Hudson:" introduced by Mr. J. M. Osborn and referred.....	832
reported and referred to committee of the whole.....	1002
reported and ordered to third reading.....	1577
passed.....	1677
returned from Senate.....	2382
reported enrolled.....	2501
notice of approval.....	2560
453. To amend section 5, of act number 163, entitled "An act relative to laying out, altering, and discontinuing highways," approved March 15, 1861: introduced by Mr. Hurlbut and referred.....	832
reported and tabled.....	1231
taken from table and referred to committee of the whole..	2081
reported and ordered to third reading.....	2221
passed.....	2339
454. To subject all persons holding office under the government of the State of Michigan, to impeachment or removal from office for voluntary drunkenness: introduced by Mr. Coulter and referred.....	832
substitute reported for, and referred to committee of the whole.....	933
reported and ordered to third reading.....	1820-1
passed and title amended.....	1421-3
returned from Senate.....	1954
reported enrolled.....	2033
notice of approval.....	2065
455. To provide for the payment of immigrant agents <i>per capita</i> : reported by committee on immigration and referred to committee of the whole.....	842
reported and recommitteed.....	1300
reported and ordered to third reading.....	1498
passed.....	1522-3
456. To detach certain territory from the city of Hillsdale, and to add the same to the township of Hillsdale: introduced by Mr. Huff and referred.....	851
reported and referred to committee of the whole.....	1326
reported and ordered to third reading.....	1933
passed.....	1966
457. Making appropriations for the State Reform School, for the years 1871 and 1872: introduced by Mr. Williams and referred.....	851
reported and referred to committee of the whole.....	1274
reported and ordered to third reading.....	1857-8
recommitteed.....	1879
458. To provide for straightening and improving the Cass river and Bay City State road: introduced by Mr. Bates and referred.....	851
reported and re-referred.....	1277-8
reported and referred to committee of the whole.....	1585-6

HOUSE BILLS:

459. To amend sections 4 and 5, of act No. 112, of the session laws of 1861, entitled "An act to authorize the formation of gymnastic associations:"
- | | |
|------------------------------------------------------|---------|
| introduced by Mr. Bates and referred..... | 851 |
| reported and referred to committee of the whole..... | 1074 |
| reported and ordered to third reading..... | 1342-3 |
| passed..... | 1512-13 |
| returned from Senate..... | 2278 |
| reported enrolled..... | 2500 |
| notice of approval..... | 2559 |
460. In relation to county bridges:
- | | |
|-------------------------------------------|-----|
| introduced by Mr. Bates and referred..... | 851 |
|-------------------------------------------|-----|
461. To amend sections 1, 3, and 9, of act number 76, of the session laws of 1867:
- | | |
|-------------------------------------------|-----|
| introduced by Mr. Hazen and referred..... | 852 |
|-------------------------------------------|-----|
462. To amend sections 1661 and 1663, of chapter 52, of the compiled laws, the same being sections 1 and 3 of an act to prevent the manufacture and sale of spirituous and intoxicating liquors as a beverage, and also to form two new sections, to stand as sections 6 and 7 of the same act:
- | | |
|---------------------------------------------|-----|
| introduced by Mr. Coulter and referred..... | 852 |
|---------------------------------------------|-----|
463. To amend section 18, of chapter 181, the same being section 5762 of the compiled laws, entitled "Of offenses against property:"
- | | |
|---------------------------------------------|-----|
| introduced by Mr. Coulter and referred..... | 852 |
|---------------------------------------------|-----|
464. To provide for the incorporation of St. George Societies:
- | | |
|------------------------------------------------------|------|
| introduced by Mr. Gibson and referred..... | 852 |
| reported and referred to committee of the whole..... | 1379 |
| reported and ordered to third reading..... | 1933 |
| passed..... | 1975 |
| returned from Senate..... | 2277 |
| reported enrolled..... | 2501 |
| notice of approval..... | 2560 |
465. To amend sections 82 and 83 of an act entitled "An act to amend an act entitled 'An act further to preserve the purity of elections, and guard against the abuses of the elective franchise by registration of electors,' approved February 14, 1859:
- | | |
|-----------------------------------------------------------|------|
| introduced by Mr. Gibson and referred..... | 852 |
| reported and referred to committee of the whole..... | 1538 |
| committee of the whole discharged from, and recommitted, | 1856 |
| substitute reported for and ordered to third reading..... | 1863 |
| tabled..... | 1917 |
| taken from table and passed..... | 2115 |
| returned from Senate..... | 2288 |
| reported enrolled..... | 2387 |
| notice of approval..... | 2499 |
466. To amend an act entitled "An act further to preserve the purity of elections and guard against the abuses of the elective franchise by registration of electors," approved February 14, 1859, being No. 178, together with the acts amendatory thereto:
- | | |
|----------------------------------------------------------|-------|
| introduced by Mr. Gibson and referred..... | 852-3 |
| reported and referred to committee of the whole..... | 1539 |
| committee of the whole discharged from, and recommitted, | 1856 |

HOUSE BILLS:

467. To amend an act entitled "An act to authorize the common council of the city of Detroit to divide any ward of said city into two election districts to provide for the registration of qualified electors therein," approved March 27, 1867:
 introduced by Mr. Gibson and referred 853
 reported and referred to committee of the whole 1273
 committee of the whole discharged from and recommitted, 1856
 reported and ordered to third reading 1882-3
 passed 1919-20
 returned from Senate 2189
 reported enrolled 2202
 notice of approval 2496
468. To extend the time for the collection of taxes in the township of Cheshire, county of Allegan, until April 1, 1871:
 introduced by Mr. Ferris and passed 853
 returned from Senate 894
 reported enrolled 923
 notice of approval 962
469. To amend section 1, of act number 115, of the session laws of 1861, entitled "An act to amend chapter 23 of the compiled laws, relative to obstructions and encroachments upon highways:"
 introduced by Mr. J. Haynes and referred 854
 substitute reported for, adopted, and referred to committee of the whole 2076
 committee of the whole discharged from, and recommitted 2233
 reported and tabled 2427
470. To amend sections 4 and 13, of article 2, of the charter of the village of Midland City:
 introduced by Mr. J. Haynes and referred 854
 substitute reported for, adopted, and referred to committee of the whole 2121
 reported and ordered to third reading 2404
 passed and title amended 2442
 returned from Senate 2544
 reported enrolled 2555
 notice of approval 2563
471. To authorize the township of Alabaster, in the county of Iosco, to make out a new tax-roll for said township for the year 1870, and to extend the time for the payment of taxes thereon until May 1, 1871:
 introduced by Mr. J. Haynes and referred 854
 reported and referred to committee of the whole 1082
 committee of the whole discharged from, and ordered to third reading 1331
 passed and title amended 1425-6
 returned from Senate 1997
 reported enrolled 2185
 notice of approval 2495
472. To amend chapter fifty-two of the compiled laws, entitled "Of the manufacture and sale of intoxicating drinks as a beverage:"
 introduced by Mr. J. Haynes and referred 854

HOUSE BILLS:

473. To amend act number 16, of the session laws of 1864, entitled "An act to authorize the formation of corporations for the running, booming, and rafting of logs, as amended by act number 92, of the session laws of 1865, entitled an act to amend section 14, of act number 16, of the session laws of 1864, entitled an act to authorize the formation of corporations for the running, booming, and rafting of logs," by adding a new section thereto, to stand as section 22:
 introduced by Mr. J. Haynes and referred..... 855
 substitute reported for, adopted, and referred to committee of the whole..... 2420-1
 committee of the whole discharged from and ordered to third reading..... 2522
 tabled..... 2529-30
474. To amend section 5, of act number 259, of the session laws of 1861, entitled an act to amend an act entitled an act to establish graded and high schools, approved February 14, 1859, being act number 161, of the session laws of 1859:
 introduced by Mr. J. Haynes and referred..... 855
 reported and referred to committee of the whole..... 1591
 reported and ordered to third reading..... 2136
 recommitted..... 2164
 reported and lost..... 2165
475. To provide for the drainage and reclamation of swamp lands by means of a canal between Houghton lake and Muskegon river:
 introduced by Mr. J. Haynes and referred..... 855
 reported and tabled..... 1582-3
476. To amend section 3 of act 117, of session laws of 1859, and to add a new section thereto, enlarging and defining the powers of the State Board of Control:
 introduced by Mr. Hazen and referred..... 855-6
 reported and referred to committee of the whole..... 1631-2
 reported and recommitted..... 2140
 substitute reported for, adopted, and referred to the committee of the whole..... 2398-9
 committee of the whole discharged from and recommitted, 2461-2
 reported and ordered to third reading..... 2473-4
 passed and title amended so as to read: "To create a Board of State Swamp Land Commissioners, and to repeal act number 76, of the session laws of 1867"..... 2490-1
 returned from Senate..... 2535
 reported enrolled..... 2556
 notice of approval..... 2567
477. To amend an act entitled "An act to incorporate the village of Ovid," approved March 24, 1869, by adding a new section thereto:
 introduced by Mr. Van Scoy and referred..... 857
 substitute reported for and referred to committee of the whole..... 1912
 committee of the whole discharged from and passed..... 1763
 returned from Senate..... 2042
 reported enrolled..... 2186
 notice of approval..... 2496

HOUSE BILLS:

PAGE.

478. To lay out and establish a State road from the city of Lapeer to the village of Caro, Tuscola county, and make an appropriation of swamp lands to build the same:	
introduced by Mr. Rood and referred.....	857
reported and referred to committee of the whole.....	1592
reported and ordered to third reading.....	2136
tabled.....	2166
479. To amend section 1, of act number 146, of session laws of 1861, being an act entitled "An act to amend sections 404 and 405 of compiled laws, being sections 68 and 64, chapter 10, enabling county clerks to appoint deputies:"	
introduced by Mr. Montgomery and referred.....	857
reported and referred to committee of the whole.....	929
committee of the whole discharged from and tabled.....	1294
480. To protect reporters from this and future legislatures:	
introduced by Mr. Montgomery and referred.....	857
481. For the apportionment of Senators in the State Legislature:	
introduced by Mr. W. H. C. Mitchell and referred.....	857
482. To organize a union school district in the township of Dryden, county of Lapeer:	
introduced by Mr. Lamb and referred.....	858
483. To grant further time to the supervisor of the township of Kalamazoo to perfect the assessment roll of said township:	
introduced by Mr. Cameron and referred.....	858
substitute reported for, adopted and passed.....	2245
returned from Senate.....	2379
reported enrolled.....	2552
notice of approval.....	2562
484. Authorizing the Secretary of State to compile and publish, in pamphlet form, the laws relative to elections and highways, for the use of the township officers in this State:	
introduced by Mr. Riford and referred.....	858
485. For the re-districting the State into judicial circuits:	
introduced by Mr. Riford and referred.....	858
486. To legalize the highways and streets within the corporate limits of the village of Benton Harbor:	
introduced by Mr. Riford and referred.....	858
reported and referred to committee of the whole.....	1881
reported and ordered to third reading.....	2219
passed.....	2333-4
returned from Senate.....	2470
reported enrolled.....	2556
notice of approval.....	2560
487. Relative to laying out, altering, and discontinuing highways, and to repeal all acts and parts of acts relating thereto:	
introduced by Mr. Riford and referred.....	858
488. To amend chapter 109 of the revised statutes of 1846, in relation to the partition of lands, being chapter 135 of the compiled laws, as amended by act number 70 of the laws of 1863, approved March 7, 1863, by adding a new section thereto:	
introduced by Mr. Cochrane and referred.....	858
reported and referred to committee of the whole.....	1607
reported and ordered to third reading.....	2188
passed.....	2169
returned from Senate.....	2378
reported enrolled.....	2551
notice of approval.....	2563

HOUSE BILLS :

489. To repeal chapter 170 of the compiled laws, relative to the powers, duties, and obligations of assignees of insolvent debtors, being chapter 155 of the revised statutes of 1846 :	
introduced by Mr. Cochrane and referred.....	859
490. For the relief of Milo R. Campbell from the payment of five dollars an acre for certain Agricultural College lands :	
introduced by Mr. White and referred.....	859
reported and tabled.....	1281
taken from table and recommitted.....	2236
reported and referred to committee of the whole.....	2309
reported and ordered to third reading.....	2424
passed, and title amended so as to read " To change the name of Trinity Church, of Lower Saginaw, to Trinity Church of Bay City. "	2476-7
returned from Senate.....	2516
reported enrolled.....	2559
notice of approval.....	2564
491. To repeal chapter 144 of the revised statutes of 1846, relative to fraudulent and insolvent debtors, being chapter 169 of the compiled laws :	
introduced by Mr. Cochrane and referred.....	859
492. To repeal chapter 40 of the compiled laws, being chapter 38 of the revised statutes of 1846, and the act amendatory thereof, approved March 1, 1849, and chapter 2, title 9, part 1, of the revised statutes of 1846, relative to the support of the poor :	
introduced by Mr. Cochrane and referred.....	859
493. To amend sections 4110 and 4111 of the compiled laws, in regard to the service of declarations, subpoena in chancery, and other papers :	
introduced by Mr. Cochrane and referred.....	859
reported and referred to committee of the whole.....	930
reported and ordered to third reading.....	1319-20
passed.....	1419
returned from Senate.....	1662
reported enrolled.....	1814
notice of approval.....	2038
494. To amend section 5721, in chapter 180, of the compiled laws, being section 11, of chapter 153, of the revised statutes of 1846, relative to offenses against persons, and to add a new section thereto :	
introduced by Mr. Cochrane and referred.....	860
495. To repeal chapter 168, of the compiled laws, relative to the relief of insolvent debtors from imprisonment, being chapter 143, of the revised statutes of 1846 :	
introduced by Mr. Cochrane and referred.....	860
reported and referred to committee of the whole.....	1114-15
reported and ordered to third reading.....	1577
tabled.....	1684-5
496. To provide for the drainage and reclamation of State swamp lands, by means of a State road and ditches from Saginaw bay, in Iosco county, to the west line of said county :	
introduced by Mr. Bates and referred.....	860
reported and referred to committee of the whole.....	1584
reported and ordered to third reading.....	2185
tabled.....	2162

INDEX.

2721

HOUSE BILLS:

PAGE.

497. To amend an act entitled "An act to authorize proceedings by garnishment in the circuit courts and in the district court of the Upper Peninsula," approved March 16, 1861, as amended by the acts amendatory thereof, by adding two new sections thereto:
introduced by Mr. Cochrane and referred..... 860
• substitute reported for, and ordered to third reading..... 1698
passed, and title amended so as to read: "To amend section 1, of act number 267, of session laws of 1869, being an act entitled 'An act to amend act number 397, of the session laws of 1867, entitled An act to amend act number 301, of the session laws of 1865, being an act entitled An act to regulate the tolls on plank roads in Bay, Gratiot, and Saginaw counties' ".....1731-2
returned from Senate..... 2001
reported enrolled..... 2184
notice of approval..... 2495
498. To amend section 4985, as amended by act 114 of the session laws of 1869, approved April 3, 1869, also section 4998, in chapter 150, of the compiled laws, and being sections 12 and 25, of chapter 128, of the revised statutes of 1846, and to repeal section —, of act 175, of session laws of 1849, being section 5002 of the compiled laws, in chapter 150 of the compiled laws, relative to forcible entries and detainers:
introduced by Mr. Cochrane and referred..... 860
499. To amend act number 77, of the session laws of the year 1869, being "An act in relation to life insurance companies transacting business within the State," by adding a new section thereto, to be known as section number 28:
introduced by Mr. Gillam and referred..... 861
reported and tabled..... 1441
taken from table and recommitted..... 2223
substitute reported for, adopted and passed, and title amended so as to read: "To amend section 10, of an act entitled 'An act in relation to life insurance companies transacting business within this State,' approved March 30, 1869, as amended by an act to amend sections 10 and 12, of an act entitled 'An act in relation to life insurance companies transacting business within this State,' approved March 30, 1869, and to add three new sections thereto, to stand as sections 27, 28, and 29, approved April 5, 1871".....2252-4
returned from Senate..... 2321-2
reported enrolled..... 2552
500. To provide for the appointment of two professors of homeopathy in the department of medicine of the University of Michigan:
introduced by Mr. Grosvenor and referred..... 861
reported and referred to committee of the whole..... 926
reported and ordered to third reading..... 1538
recommitted, reported, and passed.....1668-9

HOUSE BILLS:

501. To provide for the payment of a uniform State bounty to volunteers mustered from this State into the military service of the United States, during the great rebellion :
introduced by Mr. Atwood and referred 861
substitute reported for, adopted, and passed, and title amended so as to read : "To repeal section 3, of an act entitled 'An act to provide for the payment of bounties by the State Treasurer upon the warrant of the Auditor General' " 2508-9
returned from Senate 2535
reported enrolled 2556
notice of approval 2567
502. To amend section 15, of act No. 370, of the session laws of 1869, entitled "An act to incorporate the village of Leslie:"
introduced by Mr. Atwood and referred 861
reported and referred to committee of the whole 1993
committee of the whole discharged from and passed 2098
returned from Senate 2470
reported enrolled 2555
notice of approval 2564
503. To amend section 86, of an act entitled "An act to incorporate the city of Marshall," approved February 14, 1859, as amended by section 8, of act number 128, of the session laws of 1865, approved March 9, 1865 :
introduced by Mr. P. Mitchell and referred 861
reported and referred to committee of the whole 892
reported and ordered to third reading 1820-1
passed 1417
returned from Senate 1662
reported enrolled 1711
notice of approval 1823
504. To set off the south half of section 31, and the southwest quarter of section 32, town 4 north, of range 11 west, now being in school district No. 4, in Leighton, Allegan county, and add the same to school district No. 2, in the town of Wayland, Allegan county :
introduced by Mr. Watkins and referred 862
reported and tabled 2247
505. To legalize the actions of the commissioners of highways of the township of Albion, Calhoun county, Michigan, in constructing the Erwin and Eslo drain :
introduced by Mr. Brown and referred 862
reported and referred to committee on judiciary 995
reported and tabled 1035-6
506. To amend an act entitled "An act to amend section 12, of act number 304, laws of 1865, entitled an act to encourage the erection and support of water-power manufactories, approved March 21, 1865, the same being act number 139, of laws of 1867," approved March 27, 1867 :
introduced by Mr. Climie and referred 862
reported and recommitted 1339
reported and ordered to third reading 1366-7
passed and title amended 1473-4
returned from Senate 1666
reported enrolled 1815
notice of approval 2038

INDEX.

2723

PAGE.

HOUSE BILLS:

507. To amend section 2 of an act entitled "An act to construct dams and improve the navigation of certain rivers," the same being on page 105 of the session laws of 1835 and 1836:
introduced by Mr. Climie and referred..... 862
reported and referred to committee of the whole..... 1001
reported and ordered to third reading.....1840-2
passed, and title amended.....1476
returned from Senate.....1663
reported enrolled.....1851
notice of approval.....2038
508. To amend section 8, of act number 804, session laws of 1865, entitled "An act to encourage the erection and support of water-power manufactories:"
introduced by Mr. Climie and referred..... 862
reported and referred to committee of the whole..... 999
reported and ordered to third reading.....1342-3
passed and title amended.....1475
returned from Senate.....1662
reported enrolled.....1851
notice of approval.....2038
509. Relative to highways:
introduced by Mr. Chamberlain and referred..... 862
510. To amend section 15, chapter 175, being section 5652 of the compiled laws, relative to fees of registers of deeds:
introduced by Mr. Hurlbut and referred..... 863
reported and referred to committee of the whole..... 1074
reported and ordered to third reading.....1842-3
lost.....1510-11
511. To amend an act entitled "An act to prevent the careless use of fire-arms," approved March 26, 1869, by adding a new section thereto, to stand as section 5 of said act:
introduced by Mr. Thayer and referred..... 863
reported and tabled.....1457
512. To provide for the division of townships into election districts in certain cases:
introduced by Mr. Houseman and referred..... 863
513. To change the name of Seth Dimick Adams to Seth Dimick Gage, and to constitute him heir-at-law of Franklin Gage and Mary C. Gage:
introduced by Mr. Climie and referred..... 863
reported and referred to committee of the whole..... 1388
reported and ordered to third reading.....1883
passed.....1974
returned from Senate.....2207
reported enrolled.....2299
notice of approval.....2498
514. To amend section 16, of chapter 150, of the revised statutes of 1846, the same being section 5652, chapter 175, of the compiled laws, entitled "Of registers of deeds:"
introduced by Mr. Climie and referred..... 864
reported and tabled.....1387

HOUSE BILLS:

515. To amend section 27, of chapter 158, of the revised statutes of 1846, being marginal section 5888, in chapter 185, of the compiled laws, entitled "Of offenses against chastity, morality, and decency:"	
introduced by Mr. Huston and referred	864
reported and referred to committee of the whole	915
reported and ordered to third reading	1297-9
passed	1409
returned from Senate	1748
reported enrolled	1852
notice of approval	2039
516. To amend section 455, in chapter 10, of the compiled laws, being section 107, in chapter 14, of the revised statutes of 1846, relative to the appointment of notaries public:	
introduced by Mr. Pearl and referred	864
517. To amend section 6, of chapter 140, of the revised statutes of 1846, being section 5365, in chapter 165, of the compiled laws, relative to limitations of personal actions:	
introduced by Mr. Pearl and referred	864
reported and referred to committee of the whole	1742-3
reported and ordered to third reading	2139
passed	2180
returned from Senate	2469
reported enrolled	2557
notice of approval	2564
518. To detach the west six sections of the township of Hudson, Lenawee county, and attach the same to the township of Pittsford, Hillsdale county:	
introduced by Mr. J. M. Osborn and referred	964
reported and re-referred	1145
519. To provide for the adjustment and payment of certain ditch taxes in the county of Lenawee:	
introduced by Mr. Crane and referred	864
reported and referred to committee of the whole	1022
reported and ordered to third reading	1941-3
passed	1478
returned from Senate	1715
returned to Senate	1798-9
returned from Senate	1825
reported enrolled	1938
notice of approval	2089
520. To amend sections 1, 3, and 83, of act number 188, of the session laws of 1861, entitled "An act to reorganize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture:"	
introduced by Mr. Copley and referred	865
reported and referred to committee of the whole	1118-19
reported and ordered to third reading	1807
passed	1833
returned from Senate	2544-5
reported enrolled	2556
notice of approval	2567
521. To incorporate the village of Pewamo:	
introduced by Mr. Roof and referred	865
reported and referred to committee of the whole	929
reported and ordered to third reading	1576-8

HOUSE BILLS:

521. To incorporate the village of Pewamo :	
passed	1672
returned from Senate.....	2206
reported enrolled	2298
notice of approval.....	2499
522. To amend section 3694, of chapter 117, of the compiled laws, relative to garnishee or attachment :	
introduced by Mr. J. M. Osborn and referred.....	865
reported and tabled.....	1454
523. To legalize the acts of drain commissioners in the county of Ottawa for the years 1867, 1868, 1869, and 1870 :	
introduced by Mr. Adsit and referred.....	865
524. To exempt mineral spring corporations from the payment of all specific taxes :	
introduced by Mr. Adsit and referred.....	866
525. To amend section five of an act entitled "An act to provide for the sale of swamp lands, and the reclamation thereof, and to secure the pre-emption claims of settlers thereof," approved February 4, 1858 :	
introduced by Mr. Huston and referred.....	866
reported and referred to committee of the whole.....	1554
reported and recommitted.....	2140
526. To establish and construct a ditch in the township of Gilford, in Tuscola county, Blumfield, in Saginaw, and Portsmouth, in Bay county, and making an appropriation of non-resident highway taxes for the same :	
introduced by Mr. Huston and referred.....	866
substitute reported for, and referred to committee of the whole.....	1433-4
reported and ordered to third reading.....	2054
lost, reconsidered and tabled.....	2108-9
527. To detach certain territory from the township of Ionia, in the county of Ionia, and attach the same to the township of Lyons, in the same county :	
introduced by Mr. Roof and referred.....	866
reported and tabled.....	1227-8
528. Appointing a special commissioner on that part of the Sanilac and Bay State road that is in the counties of Tuscola and Bay :	
introduced by Mr. Huston and referred.....	866
reported and referred to committee of the whole.....	1236
reported and ordered to third reading.....	1600
passed	1780
529. To legalize the organization of the graded school in school dis- trict No. 3, of Indianfields, in the county of Tuscola, Mich- igan :	
introduced by Mr. Huston and referred.....	866-7
530. To authorize the electors of the township of Millington, in the county of Tuscola, to raise money to purchase a town- ship library :	
introduced by Mr. Huston and referred.....	867
reported and referred to committee of the whole	1114
reported and ordered to third reading.....	1535-6
passed	1623
returned from Senate.....	1715
reported enrolled.....	1815
notice of approval.....	2039

HOUSE BILLS:

531. Relative to proof of corporations and joint stock companies in certain cases:	
introduced by Mr. Pearl and referred	867
reported and referred to committee of the whole	1144-5
reported and ordered to third reading	1599
passed	1718
returned from Senate	2278
reported enrolled	2386
notice of approval	2499
532. To compel children to attend school:	
introduced by Mr. C. B. Grant and referred	867
reported and referred to committee of the whole	1384-5
reported and ordered to third reading	2018
passed	2003-5
returned from Senate	2278
reported enrolled	2386
notice of approval	2559
533. To exempt the county of Tuscola from the provisions of act No. 43, of the session laws of 1869, being an act entitled "An act to provide for the drainage of swamps, marshes, and other low lands:"	
introduced by Mr. Huston and referred	867
reported and referred to committee of the whole	1373
committee of the whole discharged from and passed, and title amended by inserting "Hillsdale, Genesee, Oakland, and Lapeer"	1928-30
returned from Senate	2009
reported enrolled	2034
notice of approval	2064
534. To amend section 146, of chapter 90, of the revised statutes of 1845, being section 8599, and chapter 115, of the compiled laws, entitled "Of the courts of chancery:"	
introduced by Mr. Huston and referred	867
reported and referred to committee of the whole	933
reported and ordered to third reading	1320-1
passed	1423
returned from Senate	1750
reported enrolled	1852
notice of approval	2039
535. To provide for the drainage and reclamation of swamp lands by means of a State ditch, to be known as Gilford and Portsmouth ditch:	
introduced by Mr. Huston and referred	867
reported and re-referred	1370-1
reported and referred to committee of the whole	1580
reported and ordered to third reading	2138
tabled	2161
taken from table and passed, and title amended	2192-3
returned from Senate	2435
reported enrolled	2558
notice of approval	2566
536. To amend section one, of act No. 231, of the session laws of 1863, relative to proceedings by garnishment:	
introduced by Mr. Williams and referred	868

HOUSE BILLS:

537. To prevent the adulteration of milk, and to prevent the traffic in impure and unwholesome milk:
 introduced by Mr. Crane and referred..... 868
 reported and referred to committee of the whole..... 1040-1
 reported and ordered to third reading..... 1342-3
 recommitted..... 1509-10
 reported and passed..... 1531
 returned from Senate..... 1947
 reported enrolled..... 1995
 notice of approval..... 2064
538. To authorize corporations of other States to engage in mining, smelting, and refining of ores and metals within this State:
 introduced by Mr. S. W. Hill and referred..... 868
 reported and referred to committee of the whole..... 960
 reported and ordered to third reading..... 1338-9
 passed..... 1432
 returned from Senate..... 2432-4
 reported enrolled..... 2552
 notice of approval..... 2563
539. Giving commissioners of highways power to bring suits in circuit courts for vacation of plank or gravel roads, so-called, in certain cases:
 introduced by Mr. Pattengill and referred..... 868
540. To repeal act number 31, of session laws of 1869, entitled "An act to regulate the size of dry or packing barrels, for fruit, roots, and vegetables," approved March 8, 1869, and to regulate the size of the same:
 introduced by Mr. Hughes and referred..... 868
 substitute reported for, adopted and referred to committee of the whole..... 1008
 reported and ordered to third reading..... 1578-9
 passed..... 1682-3
 returned from Senate..... 2181
 reported enrolled..... 2202
 notice of approval..... 2496
541. To protect the people from patent-right swindlers:
 introduced by Mr. Walton and referred..... 868
542. To protect this and future Legislatures against newspaper impositions, and to regulate, restrain, curtail, punish, censure, abate, or otherwise dispose of reportorial nuisances:
 introduced by Mr. Swineford and referred..... 869
543. To provide for laying out and establishing a State road from the New England mine to the Michigan furnace, in the county of Marquette, and making an appropriation of State swamp lands to aid in the construction thereof:
 introduced by Mr. Swineford and referred..... 869
 reported and referred to committee of the whole..... 1280
 reported and ordered to third reading..... 2017
 lost..... 2090
 reconsidered and tabled..... 2096
544. To incorporate the village of Negaunee under a special charter:
 introduced by Mr. Swineford and referred..... 869
 reported and referred to committee of the whole..... 1536-7
 reported and ordered to third reading..... 2118
 recommitted to committee of the whole..... 2131

HOUSE BILLS:

544. To incorporate the village of Negaunee under a special charter:
 reported and all after enacting clause stricken out, and enacting clause tabled..... 2222
 taken from table and recommitted..... 2235-6
 reported and recommitted with instructions..... 2246-7
 reported and lost..... 2275-6
545. To exempt the county of Saginaw from the provisions of act number 43, of the session laws of 1869, being an act entitled "An act to provide for the drainage of swamps, marshes, and other low lands:"
 introduced by Mr. Little and referred..... 869
 reported and re-referred..... 1373
 reported and passed..... 1458-9
 returned from Senate..... 1643
 reported enrolled..... 1712
 notice of approval..... 2037
546. To provide for the erection of a new State capitol and a building for the temporary use of the State officers:
 introduced by Mr. Hart and referred..... 870
547. To prevent animals from trespassing:
 introduced by Mr. Cameron and referred..... 870
 reported and referred to committee of the whole..... 2310
 reported and tabled..... 2424
548. To vacate one mile of the Detroit river plank road, in the town of Springwells:
 introduced by Mr. Greusel and referred..... 870
 reported and referred to committee of the whole..... 1708
 reported and ordered to third reading..... 2139
 tabled..... 2180
 taken from table and lost..... 2234-5
549. To regulate the powers, rights, obligations, and duties of landlords and tenants:
 introduced by Mr. Gibson and referred..... 870
550. To provide for the sale of certain swamp lands, sold under section 8, of act number 31, of the session laws of 1858, or section number 2, of act number 106, of the session laws of 1859:
 introduced by Mr. Hazen and referred..... 870
 reported and referred to committee of the whole..... 1376
 reported and ordered to third reading..... 1934
 passed..... 1971
 returned from Senate..... 2436
 reported enrolled..... 2552
 notice of approval..... 2561
551. To amend sections 7, 8, 9, and 10, of chapter 11, of the compiled laws:
 introduced by Mr. Lamb and referred..... 871
 reported and referred to committee of the whole..... 1037
 reported and ordered to third reading..... 1342-3
 passed and title amended..... 1483
 returned from Senate..... 1664
 reported enrolled..... 1852
 notice of approval..... 2038

INDEX.

2729

HOUSE BILLS:

PAGE.

552. For laying out, establishing, and constructing a State road, to be known as the Cooper and Bloomingdale State road, and making an appropriation of swamp lands for the same:	
introduced by Mr. Walker and referred.....	871
reported and referred to committee of the whole.....	1583
reported and ordered to third reading.....	2186
tabled.....	2161
553. To legalize bounties to certain volunteers credited to Ovid, Clinton county, and to provide for the payment of the same:	
introduced by Mr. Van Scoy and referred.....	871
reported and referred to committee of the whole.....	1882-3
committee of the whole discharged from, and passed.....	1837-8
returned from Senate.....	2001
reported enrolled.....	2034
notice of approval.....	2085
554. For the construction of a State road in the counties of Bay and Iosco, and appropriating certain non-resident highway taxes therefor:	
introduced by Mr. Bates and referred.....	871
555. To amend an act entitled an act to authorize the formation of corporations for the running, booming, and rafting of logs:	
introduced by Mr. Bates and referred.....	871
556. To authorize the township of Bangor, in the county of Bay, to raise money to establish a township library:	
introduced by Mr. Bates and referred.....	871
557. To appropriate the non-resident highway taxes of township 14 north, of ranges 6, 7, 8, 9, 10, 11, and 12 east, to the improvement of the Cass river and Bay City State road:	
introduced by Mr. Bates and referred.....	872
557. To amend and extend an act entitled "An act to charter the village of New Baltimore," approved March 23d, 1867, and to amend sections 1 and 88 of said act:	
introduced by Mr. N. L. Miller and referred.....	872
reported and referred to committee of the whole.....	1609
reported and ordered to third reading.....	2186
passed.....	2166
returned from Senate.....	2325
reported enrolled.....	2501
notice of approval.....	2560
559. To provide for building an intermediate prison, and making an appropriation therefor:	
introduced by Mr. Gray and referred.....	872
560. To attach certain lands to fractional school district number 7, of the towns of Lenox and Chesterfield, of Macomb county:	
introduced by Mr. N. L. Miller and referred.....	872
reported and tabled.....	1310
taken from table and recommitted.....	1344
substitute reported for, and referred to committee of the whole.....	1385
reported and ordered to third reading.....	1934
passed, and title amended.....	1973-4
returned from Senate.....	2379
reported enrolled.....	2551
notice of approval.....	2562

HOUSE BILLS:

459. To amend sections 4 and 5, of act No. 112, of the session laws of 1861, entitled "An act to authorize the formation of gymnastic associations:"
 introduced by Mr. Bates and referred..... 851
 reported and referred to committee of the whole..... 1074
 reported and ordered to third reading..... 1342-3
 passed..... 1512-13
 returned from Senate..... 2278
 reported enrolled..... 2500
 notice of approval..... 2559
460. In relation to county bridges:
 introduced by Mr. Bates and referred..... 851
461. To amend sections 1, 3, and 9, of act number 76, of the session laws of 1867:
 introduced by Mr. Hazen and referred..... 852
462. To amend sections 1661 and 1663, of chapter 52, of the compiled laws, the same being sections 1 and 3 of an act to prevent the manufacture and sale of spirituous and intoxicating liquors as a beverage, and also to form two new sections, to stand as sections 6 and 7 of the same act:
 introduced by Mr. Coulter and referred..... 852
463. To amend section 18, of chapter 181, the same being section 5762 of the compiled laws, entitled "Of offenses against property:"
 introduced by Mr. Coulter and referred..... 852
464. To provide for the incorporation of St. George Societies:
 introduced by Mr. Gibson and referred..... 852
 reported and referred to committee of the whole..... 1379
 reported and ordered to third reading..... 1933
 passed..... 1975
 returned from Senate..... 2277
 reported enrolled..... 2501
 notice of approval..... 2560
465. To amend sections 32 and 33 of an act entitled "An act to amend an act entitled 'An act further to preserve the purity of elections, and guard against the abuses of the elective franchise by registration of electors,' approved February 14, 1859:
 introduced by Mr. Gibson and referred..... 852
 reported and referred to committee of the whole..... 1538
 committee of the whole discharged from, and recommitted, 1856
 substitute reported for and ordered to third reading..... 1883
 tabled..... 1917
 taken from table and passed..... 2115
 returned from Senate..... 2288
 reported enrolled..... 2387
 notice of approval..... 2499
466. To amend an act entitled "An act further to preserve the purity of elections and guard against the abuses of the elective franchise by registration of electors," approved February 14, 1859, being No. 178, together with the acts amendatory thereto:
 introduced by Mr. Gibson and referred..... 852-3
 reported and referred to committee of the whole..... 1539
 committee of the whole discharged from, and recommitted, 1856

HOUSE BILLS:

467. To amend an act entitled "An act to authorize the common council of the city of Detroit to divide any ward of said city into two election districts to provide for the registration of qualified electors therein," approved March 27, 1867:
 introduced by Mr. Gibson and referred 853
 reported and referred to committee of the whole 1273
 committee of the whole discharged from and recommitteed, 1856
 reported and ordered to third reading 1882-3
 passed 1919-20
 returned from Senate 2189
 reported enrolled 2202
 notice of approval 2496
468. To extend the time for the collection of taxes in the township of Cheshire, county of Allegan, until April 1, 1871:
 introduced by Mr. Ferris and passed 853
 returned from Senate 894
 reported enrolled 923
 notice of approval 962
469. To amend section 1, of act number 115, of the session laws of 1861, entitled "An act to amend chapter 23 of the compiled laws, relative to obstructions and encroachments upon highways:"
 introduced by Mr. J. Haynes and referred 854
 substitute reported for, adopted, and referred to committee of the whole 2076
 committee of the whole discharged from, and recommitteed 2233
 reported and tabled 2427
470. To amend sections 4 and 13, of article 2, of the charter of the village of Midland City:
 introduced by Mr. J. Haynes and referred 854
 substitute reported for, adopted, and referred to committee of the whole 2121
 reported and ordered to third reading 2404
 passed and title amended 2442
 returned from Senate 2544
 reported enrolled 2555
 notice of approval 2563
471. To authorize the township of Alabaster, in the county of Iosco, to make out a new tax-roll for said township for the year 1870, and to extend the time for the payment of taxes thereon until May 1, 1871:
 introduced by Mr. J. Haynes and referred 854
 reported and referred to committee of the whole 1082
 committee of the whole discharged from, and ordered to third reading 1381
 passed and title amended 1425-6
 returned from Senate 1997
 reported enrolled 2185
 notice of approval 2495
472. To amend chapter fifty-two of the compiled laws, entitled "Of the manufacture and sale of intoxicating drinks as a beverage:"
 introduced by Mr. J. Haynes and referred 854

HOUSE BILLS:

473. To amend act number 16, of the session laws of 1864, entitled "An act to authorize the formation of corporations for the running, booming, and rafting of logs, as amended by act number 92, of the session laws of 1865, entitled an act to amend section 14, of act number 16, of the session laws of 1864, entitled an act to authorize the formation of corporations for the running, booming, and rafting of logs," by adding a new section thereto, to stand as section 22:
- | | |
|-------------------------------------------------------------------------------|---------|
| introduced by Mr. J. Haynes and referred..... | 855 |
| substitute reported for, adopted, and referred to committee of the whole..... | 2420-1 |
| committee of the whole discharged from and ordered to third reading..... | 2522 |
| tabled..... | 2529-30 |
474. To amend section 5, of act number 259, of the session laws of 1861, entitled an act to amend an act entitled an act to establish graded and high schools, approved February 14, 1859, being act number 161, of the session laws of 1859:
- | | |
|------------------------------------------------------|------|
| introduced by Mr. J. Haynes and referred..... | 855 |
| reported and referred to committee of the whole..... | 1591 |
| reported and ordered to third reading..... | 2186 |
| recommitted..... | 2164 |
| reported and lost..... | 2165 |
475. To provide for the drainage and reclamation of swamp lands by means of a canal between Houghton lake and Muskegon river:
- | | |
|-----------------------------------------------|--------|
| introduced by Mr. J. Haynes and referred..... | 855 |
| reported and tabled..... | 1582-3 |
476. To amend section 3 of act 117, of session laws of 1859, and to add a new section thereto, enlarging and defining the powers of the State Board of Control:
- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| introduced by Mr. Hazen and referred..... | 855-6 |
| reported and referred to committee of the whole..... | 1631-2 |
| reported and recommitted..... | 2140 |
| substitute reported for, adopted, and referred to the committee of the whole..... | 2398-9 |
| committee of the whole discharged from and recommitted..... | 2461-2 |
| reported and ordered to third reading..... | 2473-4 |
| passed and title amended so as to read: "To create a Board of State Swamp Land Commissioners, and to repeal act number 76, of the session laws of 1867"..... | 2490-1 |
| returned from Senate..... | 2535 |
| reported enrolled..... | 2556 |
| notice of approval..... | 2567 |
477. To amend an act entitled "An act to incorporate the village of Ovid," approved March 24, 1869, by adding a new section thereto:
- | | |
|---------------------------------------------------------------------|------|
| introduced by Mr. Van Scoy and referred..... | 857 |
| substitute reported for and referred to committee of the whole..... | 1312 |
| committee of the whole discharged from and passed..... | 1763 |
| returned from Senate..... | 2042 |
| reported enrolled..... | 2186 |
| notice of approval..... | 2496 |

INDEX.

2719

PAGE.

HOUSE BILLS:

478. To lay out and establish a State road from the city of Lapeer to the village of Caro, Tuscola county, and make an appropriation of swamp lands to build the same:	
introduced by Mr. Rood and referred.....	857
reported and referred to committee of the whole.....	1592
reported and ordered to third reading.....	2136
tabled.....	2166
479. To amend section 1, of act number 146, of session laws of 1861, being an act entitled "An act to amend sections 404 and 405 of compiled laws, being sections 63 and 64, chapter 10, enabling county clerks to appoint deputies:"	
introduced by Mr. Montgomery and referred.....	857
reported and referred to committee of the whole.....	929
committee of the whole discharged from and tabled.....	1294
480. To protect reporters from this and future legislatures:	
introduced by Mr. Montgomery and referred.....	857
481. For the apportionment of Senators in the State Legislature:	
introduced by Mr. W. H. C. Mitchell and referred.....	857
482. To organize a union school district in the township of Dryden, county of Lapeer:	
introduced by Mr. Lamb and referred.....	858
483. To grant further time to the supervisor of the township of Kalamazoo to perfect the assessment roll of said township:	
introduced by Mr. Cameron and referred.....	858
substitute reported for, adopted and passed.....	2245
returned from Senate.....	2379
reported enrolled.....	2552
notice of approval.....	2562
484. Authorizing the Secretary of State to compile and publish, in pamphlet form, the laws relative to elections and highways, for the use of the township officers in this State:	
introduced by Mr. Riford and referred.....	858
485. For the re-districting the State into judicial circuits:	
introduced by Mr. Riford and referred.....	858
486. To legalize the highways and streets within the corporate limits of the village of Benton Harbor:	
introduced by Mr. Riford and referred.....	858
reported and referred to committee of the whole.....	1881
reported and ordered to third reading.....	2219
passed.....	2333-4
returned from Senate.....	2470
reported enrolled.....	2556
notice of approval.....	2560
487. Relative to laying out, altering, and discontinuing highways, and to repeal all acts and parts of acts relating thereto:	
introduced by Mr. Riford and referred.....	858
488. To amend chapter 109 of the revised statutes of 1846, in relation to the partition of lands, being chapter 135 of the compiled laws, as amended by act number 70 of the laws of 1863, approved March 7, 1863, by adding a new section thereto:	
introduced by Mr. Cochrane and referred.....	858
reported and referred to committee of the whole.....	1607
reported and ordered to third reading.....	2138
passed.....	2169
returned from Senate.....	2378
reported enrolled.....	2551
notice of approval.....	2563

HOUSE BILLS:

489. To repeal chapter 170 of the compiled laws, relative to the powers, duties, and obligations of assignees of insolvent debtors, being chapter 155 of the revised statutes of 1846:
introduced by Mr. Cochrane and referred..... 859
490. For the relief of Milo R. Campbell from the payment of five dollars an acre for certain Agricultural College lands:
introduced by Mr. White and referred..... 859
reported and tabled..... 1281
taken from table and recommitted..... 2236
reported and referred to committee of the whole..... 2309
reported and ordered to third reading..... 2424
passed, and title amended so as to read "To change the name of Trinity Church, of Lower Saginaw, to Trinity Church of Bay City,"..... 2476-7
returned from Senate..... 2516
reported enrolled..... 2559
notice of approval..... 2564
491. To repeal chapter 144 of the revised statutes of 1846, relative to fraudulent and insolvent debtors, being chapter 169 of the compiled laws:
introduced by Mr. Cochrane and referred..... 859
492. To repeal chapter 40 of the compiled laws, being chapter 38 of the revised statutes of 1846, and the act amendatory thereof, approved March 1, 1849, and chapter 2, title 9, part 1, of the revised statutes of 1846, relative to the support of the poor:
introduced by Mr. Cochrane and referred..... 859
493. To amend sections 4110 and 4111 of the compiled laws, in regard to the service of declarations, subpœna in chancery, and other papers:
introduced by Mr. Cochrane and referred..... 859
reported and referred to committee of the whole..... 930
reported and ordered to third reading..... 1319-20
passed..... 1419
returned from Senate..... 1662
reported enrolled..... 1814
notice of approval..... 2038
494. To amend section 5721, in chapter 180, of the compiled laws, being section 11, of chapter 153, of the revised statutes of 1846, relative to offenses against persons, and to add a new section thereto:
introduced by Mr. Cochrane and referred..... 860
495. To repeal chapter 168, of the compiled laws, relative to the relief of insolvent debtors from imprisonment, being chapter 143, of the revised statutes of 1846:
introduced by Mr. Cochrane and referred..... 860
reported and referred to committee of the whole..... 1114-15
reported and ordered to third reading..... 1577
tabled..... 1684-5
496. To provide for the drainage and reclamation of State swamp lands, by means of a State road and ditches from Saginaw bay, in Iosco county, to the west line of said county:
introduced by Mr. Bates and referred..... 860
reported and referred to committee of the whole..... 1584
reported and ordered to third reading..... 2185
tabled..... 2162

HOUSE BILLS:

497. To amend an act entitled "An act to authorize proceedings by garnishment in the circuit courts and in the district court of the Upper Peninsula," approved March 16, 1861, as amended by the acts amendatory thereof, by adding two new sections thereto:
introduced by Mr. Cochrane and referred..... 860
substitute reported for, and ordered to third reading..... 1698
passed, and title amended so as to read: "To amend section 1, of act number 267, of session laws of 1869, being an act entitled 'An act to amend act number 397, of the session laws of 1867, entitled An act to amend act number 301, of the session laws of 1865, being an act entitled An act to regulate the tolls on plank roads in Bay, Gratiot, and Saginaw counties'"..... 1731-2
returned from Senate..... 2001
reported enrolled..... 2184
notice of approval..... 2495
498. To amend section 4985, as amended by act 114 of the session laws of 1869, approved April 3, 1869, also section 4998, in chapter 150, of the compiled laws, and being sections 12 and 25, of chapter 123, of the revised statutes of 1846, and to repeal section —, of act 175, of session laws of 1849, being section 5002 of the compiled laws, in chapter 150 of the compiled laws, relative to forcible entries and detainers:
introduced by Mr. Cochrane and referred..... 860
499. To amend act number 77, of the session laws of the year 1869, being "An act in relation to life insurance companies transacting business within the State," by adding a new section thereto, to be known as section number 28:
introduced by Mr. Gillam and referred..... 861
reported and tabled..... 1441
taken from table and recommitted..... 2223
substitute reported for, adopted and passed, and title amended so as to read: "To amend section 10, of an act entitled 'An act in relation to life insurance companies transacting business within this State,' approved March 30, 1869, as amended by an act to amend sections 10 and 12, of an act entitled 'An act in relation to life insurance companies transacting business within this State,' approved March 30, 1869, and to add three new sections thereto, to stand as sections 27, 28, and 29, approved April 5, 1871"..... 2252-4
returned from Senate..... 2321-2
reported enrolled..... 2552
500. To provide for the appointment of two professors of homeopathy in the department of medicine of the University of Michigan:
introduced by Mr. Grosvenor and referred..... 861
reported and referred to committee of the whole..... 926
reported and ordered to third reading..... 1538
recommitted, reported, and passed..... 1668-9

HOUSE BILLS:

501. To provide for the payment of a uniform State bounty to volunteers mustered from this State into the military service of the United States, during the great rebellion :	
introduced by Mr. Atwood and referred.....	861
substitute reported for, adopted, and passed, and title amended so as to read: "To repeal section 8, of an act entitled 'An act to provide for the payment of bounties by the State Treasurer upon the warrant of the Auditor General' "	2508-9
returned from Senate.....	2535
reported enrolled.....	2556
notice of approval.....	2567
502. To amend section 15, of act No. 370, of the session laws of 1869, entitled "An act to incorporate the village of Leslie:"	
introduced by Mr. Atwood and referred.....	861
reported and referred to committee of the whole.....	1993
committee of the whole discharged from and passed.....	2098
returned from Senate.....	2470
reported enrolled.....	2555
notice of approval.....	2564
503. To amend section 86, of an act entitled "An act to incorporate the city of Marshall," approved February 14, 1859, as amended by section 8, of act number 128, of the session laws of 1865, approved March 9, 1865:	
introduced by Mr. P. Mitchell and referred.....	861
reported and referred to committee of the whole.....	892
reported and ordered to third reading.....	1320-1
passed.....	1417
returned from Senate.....	1662
reported enrolled.....	1711
notice of approval.....	1823
504. To set off the south half of section 31, and the southwest quarter of section 32, town 4 north, of range 11 west, now being in school district No. 4, in Leighton, Allegan county, and add the same to school district No. 2, in the town of Wayland, Allegan county:	
introduced by Mr. Watkins and referred.....	862
reported and tabled.....	2247
505. To legalize the actions of the commissioners of highways of the township of Albion, Calhoun county, Michigan, in constructing the Erwin and Eslo drain:	
introduced by Mr. Brown and referred.....	862
reported and referred to committee on judiciary.....	995
reported and tabled.....	1035-6
506. To amend an act entitled "An act to amend section 12, of act number 304, laws of 1865, entitled an act to encourage the erection and support of water-power manufactories, approved March 21, 1866, the same being act number 139, of laws of 1867," approved March 27, 1867:	
introduced by Mr. Climie and referred.....	862
reported and recommitted.....	1339
reported and ordered to third reading.....	1366-7
passed and title amended.....	1473-4
returned from Senate.....	1666
reported enrolled.....	1815
notice of approval.....	2038

INDEX.

2723

	PAGE.
HOUSE BILLS:	
507. To amend section 2 of an act entitled "An act to construct dams and improve the navigation of certain rivers," the same being on page 105 of the session laws of 1885 and 1886:	
introduced by Mr. Climie and referred.....	862
reported and referred to committee of the whole.....	1001
reported and ordered to third reading.....	1840-2
passed, and title amended.....	1476
returned from Senate.....	1663
reported enrolled.....	1851
notice of approval.....	2038
508. To amend section 6, of act number 804, session laws of 1865, entitled "An act to encourage the erection and support of water-power manufactories:"	
introduced by Mr. Climie and referred.....	862
reported and referred to committee of the whole.....	999
reported and ordered to third reading.....	1342-3
passed and title amended.....	1475
returned from Senate.....	1662
reported enrolled.....	1851
notice of approval.....	2038
509. Relative to highways:	
introduced by Mr. Chamberlain and referred.....	862
510. To amend section 15, chapter 175, being section 5652 of the compiled laws, relative to fees of registers of deeds:	
introduced by Mr. Hurlbut and referred.....	863
reported and referred to committee of the whole.....	1074
reported and ordered to third reading.....	1842-3
lost.....	1510-11
511. To amend an act entitled "An act to prevent the careless use of fire-arms," approved March 20, 1869, by adding a new section thereto, to stand as section 5 of said act:	
introduced by Mr. Thayer and referred.....	863
reported and tabled.....	1457
512. To provide for the division of townships into election districts in certain cases:	
introduced by Mr. Houseman and referred.....	863
513. To change the name of Seth Dimick Adams to Seth Dimick Gage, and to constitute him heir-at-law of Franklin Gage and Mary C. Gage:	
introduced by Mr. Climie and referred.....	863
reported and referred to committee of the whole.....	1388
reported and ordered to third reading.....	1933
passed.....	1974
returned from Senate.....	2207
reported enrolled.....	2299
notice of approval.....	2498
514. To amend section 16, of chapter 150, of the revised statutes of 1846, the same being section 5652, chapter 175, of the compiled laws, entitled "Of registers of deeds:"	
introduced by Mr. Climie and referred.....	864
reported and tabled.....	1387

HOUSE BILLS:

515. To amend section 27, of chapter 158, of the revised statutes of 1846, being marginal section 5888, in chapter 185, of the compiled laws, entitled "Of offenses against chastity, morality, and decency:"	
introduced by Mr. Huston and referred	864
reported and referred to committee of the whole	915
reported and ordered to third reading	1297-0
passed	1409
returned from Senate	1748
reported enrolled	1852
notice of approval	2039
516. To amend section 455, in chapter 10, of the compiled laws, being section 107, in chapter 14, of the revised statutes of 1846, relative to the appointment of notaries public:	
introduced by Mr. Pearl and referred	864
517. To amend section 6, of chapter 140, of the revised statutes of 1846, being section 5365, in chapter 165, of the compiled laws, relative to limitations of personal actions:	
introduced by Mr. Pearl and referred	864
reported and referred to committee of the whole	1742-3
reported and ordered to third reading	2139
passed	2180
returned from Senate	2469
reported enrolled	2557
notice of approval	2564
518. To detach the west six sections of the township of Hudson, Lenawee county, and attach the same to the township of Pittsford, Hillsdale county:	
introduced by Mr. J. M. Osborn and referred	864
reported and re-referred	1145
519. To provide for the adjustment and payment of certain ditch taxes in the county of Lenawee:	
introduced by Mr. Crane and referred	864
reported and referred to committee of the whole	1022
reported and ordered to third reading	1941-3
passed	1478
returned from Senate	1715
returned to Senate	1798-9
returned from Senate	1825
reported enrolled	1938
notice of approval	2039
520. To amend sections 1, 3, and 33, of act number 188, of the session laws of 1861, entitled "An act to reorganize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture:"	
introduced by Mr. Copley and referred	865
reported and referred to committee of the whole	1118-19
reported and ordered to third reading	1807
passed	1833
returned from Senate	2544-5
reported enrolled	2556
notice of approval	2567
521. To incorporate the village of Pewamo:	
introduced by Mr. Roof and referred	865
reported and referred to committee of the whole	929
reported and ordered to third reading	1576-8

INDEX.

2725

	PAGE.
HOUSE BILLS:	
521. To incorporate the village of Pewamo :	
passed	1672
returned from Senate.....	2206
reported enrolled	2298
notice of approval.....	2499
522. To amend section 8694, of chapter 117, of the compiled laws, relative to garnishee or attachment :	
introduced by Mr. J. M. Osborn and referred	865
reported and tabled.....	1454
523. To legalize the acts of drain commissioners in the county of Ottawa for the years 1867, 1868, 1869, and 1870 :	
introduced by Mr. Adsit and referred.....	865
524. To exempt mineral spring corporations from the payment of all specific taxes :	
introduced by Mr. Adsit and referred.....	866
525. To amend section five of an act entitled "An act to provide for the sale of swamp lands, and the reclamation thereof, and to secure the pre-emption claims of settlers thereof," approved February 4, 1858 :	
introduced by Mr. Huston and referred.....	866
reported and referred to committee of the whole.....	1554
reported and recommitted.....	2140
526. To establish and construct a ditch in the township of Gilford, in Tuscola county, Blumfield, in Saginaw, and Portsmouth, in Bay county, and making an appropriation of non-resident highway taxes for the same :	
introduced by Mr. Huston and referred.....	866
substitute reported for, and referred to committee of the whole.....	1433-4
reported and ordered to third reading.....	2054
lost, reconsidered and tabled.....	2108-9
527. To detach certain territory from the township of Ionia, in the county of Ionia, and attach the same to the township of Lyons, in the same county :	
introduced by Mr. Roof and referred.....	866
reported and tabled.....	1227-8
528. Appointing a special commissioner on that part of the Sanilac and Bay State road that is in the counties of Tuscola and Bay :	
introduced by Mr. Huston and referred.....	866
reported and referred to committee of the whole.....	1236
reported and ordered to third reading.....	1600
passed	1780
529. To legalize the organization of the graded school in school district No. 3, of Indianfields, in the county of Tuscola, Michigan :	
introduced by Mr. Huston and referred.....	866-7
530. To authorize the electors of the township of Millington, in the county of Tuscola, to raise money to purchase a township library :	
introduced by Mr. Huston and referred.....	867
reported and referred to committee of the whole	1114
reported and ordered to third reading.....	1535-6
passed	1623
returned from Senate.....	1715
reported enrolled.....	1815
notice of approval.....	2039

	PAGE.
House Bills :	
531. Relative to proof of corporations and joint stock companies in certain cases :	
introduced by Mr. Pearl and referred	867
reported and referred to committee of the whole	1144-5
reported and ordered to third reading	1599
passed	1718
returned from Senate	2278
reported enrolled	2386
notice of approval	2499
532. To compel children to attend school :	
introduced by Mr. C. B. Grant and referred	867
reported and referred to committee of the whole	1384-5
reported and ordered to third reading	2018
passed	2093-5
returned from Senate	2278
reported enrolled	2386
notice of approval	2559
533. To exempt the county of Tuscola from the provisions of act No. 43, of the session laws of 1869, being an act entitled "An act to provide for the drainage of swamps, marshes, and other low lands :"	
introduced by Mr. Huston and referred	867
reported and referred to committee of the whole	1373
committee of the whole discharged from and passed, and title amended by inserting "Hillsdale, Genesee, Oakland, and Lapeer"	1928-30
returned from Senate	2009
reported enrolled	2034
notice of approval	2084
534. To amend section 146, of chapter 90, of the revised statutes of 1845, being section 3599, and chapter 115, of the compiled laws, entitled "Of the courts of chancery :"	
introduced by Mr. Huston and referred	867
reported and referred to committee of the whole	933
reported and ordered to third reading	1320-1
passed	1423
returned from Senate	1750
reported enrolled	1852
notice of approval	2039
535. To provide for the drainage and reclamation of swamp lands by means of a State ditch, to be known as Gilford and Portsmouth ditch :	
introduced by Mr. Huston and referred	867
reported and re-referred	1370-1
reported and referred to committee of the whole	1580
reported and ordered to third reading	2138
tabled	2161
taken from table and passed, and title amended	2192-3
returned from Senate	2435
reported enrolled	2558
notice of approval	2566
536. To amend section one, of act No. 231, of the session laws of 1863, relative to proceedings by garnishment :	
introduced by Mr. Williams and referred	868

HOUSE BILLS:

537. To prevent the adulteration of milk, and to prevent the traffic in impure and unwholesome milk:
 introduced by Mr. Crane and referred..... 868
 reported and referred to committee of the whole.....1040-1
 reported and ordered to third reading.....1342-3
 recommitted.....1509-10
 reported and passed.....1531
 returned from Senate.....1947
 reported enrolled.....1995
 notice of approval.....2064
538. To authorize corporations of other States to engage in mining, smelting, and refining of ores and metals within this State:
 introduced by Mr. S. W. Hill and referred..... 868
 reported and referred to committee of the whole..... 960
 reported and ordered to third reading.....1338-9
 passed.....1432
 returned from Senate.....2452-4
 reported enrolled.....2552
 notice of approval.....2563
539. Giving commissioners of highways power to bring suits in circuit courts for vacation of plank or gravel roads, so-called, in certain cases:
 introduced by Mr. Pattengill and referred..... 868
540. To repeal act number 81, of session laws of 1869, entitled "An act to regulate the size of dry or packing barrels, for fruit, roots, and vegetables," approved March 8, 1869, and to regulate the size of the same:
 introduced by Mr. Hughes and referred..... 868
 substitute reported for, adopted and referred to committee of the whole.....1008
 reported and ordered to third reading.....1578-9
 passed.....1662-3
 returned from Senate.....2181
 reported enrolled.....2202
 notice of approval.....2496
541. To protect the people from patent-right swindlers:
 introduced by Mr. Walton and referred..... 868
542. To protect this and future Legislatures against newspaper impositions, and to regulate, restrain, curtail, punish, censure, abate, or otherwise dispose of reportorial nuisances:
 introduced by Mr. Swineford and referred..... 869
543. To provide for laying out and establishing a State road from the New England mine to the Michigan furnace, in the county of Marquette, and making an appropriation of State swamp lands to aid in the construction thereof:
 introduced by Mr. Swineford and referred..... 869
 reported and referred to committee of the whole.....1290
 reported and ordered to third reading.....2017
 lost.....2090
 reconsidered and tabled.....2096
544. To incorporate the village of Negaunee under a special charter:
 introduced by Mr. Swineford and referred..... 869
 reported and referred to committee of the whole.....1586-7
 reported and ordered to third reading.....2118
 recommitted to committee of the whole.....2131

	PAGE.
HOUSE BILLS:	
544. To incorporate the village of Negaunee under a special charter:	
reported and all after enacting clause stricken out, and enacting clause tabled.....	2222
taken from table and recommitted.....	2235-6
reported and recommitted with instructions.....	2246-7
reported and lost.....	2275-6
545. To exempt the county of Saginaw from the provisions of act number 43, of the session laws of 1869, being an act entitled "An act to provide for the drainage of swamps, marshes, and other low lands:"	
introduced by Mr. Little and referred.....	869
reported and re-referred.....	1373
reported and passed.....	1458-9
returned from Senate.....	1643
reported enrolled.....	1712
notice of approval.....	2037
546. To provide for the erection of a new State capitol and a building for the temporary use of the State officers:	
introduced by Mr. Hart and referred.....	870
547. To prevent animals from trespassing:	
introduced by Mr. Cameron and referred.....	870
reported and referred to committee of the whole.....	2310
reported and tabled.....	3424
548. To vacate one mile of the Detroit river plank road, in the town of Springwells:	
introduced by Mr. Greusel and referred.....	870
reported and referred to committee of the whole.....	1708
reported and ordered to third reading.....	2139
tabled.....	2180
taken from table and lost.....	2234-5
549. To regulate the powers, rights, obligations, and duties of landlords and tenants:	
introduced by Mr. Gibson and referred.....	870
550. To provide for the sale of certain swamp lands, sold under section 8, of act number 31, of the session laws of 1858, or section number 2, of act number 106, of the session laws of 1859:	
introduced by Mr. Hazen and referred.....	870
reported and referred to committee of the whole.....	1376
reported and ordered to third reading.....	1934
passed.....	1971
returned from Senate.....	2436
reported enrolled.....	2552
notice of approval.....	2561
551. To amend sections 7, 8, 9, and 10, of chapter 11, of the compiled laws:	
introduced by Mr. Lamb and referred.....	871
reported and referred to committee of the whole.....	1037
reported and ordered to third reading.....	1342-3
passed and title amended.....	1482
returned from Senate.....	1664
reported enrolled.....	1852
notice of approval.....	2038

INDEX.

2729

HOUSE BILLS:

PAGE.

552. For laying out, establishing, and constructing a State road, to be known as the Cooper and Bloomingdale State road, and making an appropriation of swamp lands for the same:	
introduced by Mr. Walker and referred.....	871
reported and referred to committee of the whole.....	1583
reported and ordered to third reading.....	2186
tabled.....	2161
553. To legalize bounties to certain volunteers credited to Ovid, Clinton county, and to provide for the payment of the same:	
introduced by Mr. Van Scoy and referred.....	871
reported and referred to committee of the whole.....	1832-3
committee of the whole discharged from, and passed.....	1837-8
returned from Senate.....	2001
reported enrolled.....	2084
notice of approval.....	2085
554. For the construction of a State road in the counties of Bay and Iosco, and appropriating certain non-resident highway taxes therefor:	
introduced by Mr. Bates and referred.....	871
555. To amend an act entitled an act to authorize the formation of corporations for the running, booming, and rafting of logs:	
introduced by Mr. Bates and referred.....	871
556. To authorize the township of Bangor, in the county of Bay, to raise money to establish a township library:	
introduced by Mr. Bates and referred.....	871
557. To appropriate the non-resident highway taxes of township 14 north, of ranges 6, 7, 8, 9, 10, 11, and 12 east, to the improvement of the Cass river and Bay City State road:	
introduced by Mr. Bates and referred.....	872
557. To amend and extend an act entitled "An act to charter the village of New Baltimore," approved March 23d, 1867, and to amend sections 1 and 88 of said act:	
introduced by Mr. N. L. Miller and referred.....	872
reported and referred to committee of the whole.....	1609
reported and ordered to third reading.....	2186
passed.....	2166
returned from Senate.....	2325
reported enrolled.....	2501
notice of approval.....	2560
559. To provide for building an intermediate prison, and making an appropriation therefor:	
introduced by Mr. Gray and referred.....	872
560. To attach certain lands to fractional school district number 7, of the towns of Lenox and Chesterfield, of Macomb county:	
introduced by Mr. N. L. Miller and referred.....	872
reported and tabled.....	1310
taken from table and recommitted.....	1844
substitute reported for, and referred to committee of the whole.....	1885
reported and ordered to third reading.....	1934
passed, and title amended.....	1973-4
returned from Senate.....	2379
reported enrolled.....	2551
notice of approval.....	2562

	PAGE.
HOUSE BILLS:	
561. To provide for the uniform assessment and taxation of property within this State, according to its true value in money, and for the collection thereof, and repealing all laws, acts, and parts of acts inconsistent therewith:	
introduced by Mr. J. Haynes and referred.....	872
562. To provide for constructing a State road in the counties of Bay and Midland:	
introduced by Mr. J. Haynes and referred.....	872
563. To exempt certain manufacturing capital from taxation for a term of years:	
introduced by Mr. Montgomery and referred.....	873
reported and tabled.....	1994
564. To repeal section 2350 of the compiled laws, as amended by section No. 107, of act 110, of the session laws of 1869, approved April 8d, 1869, providing for the levy of a two-mill tax for the support of schools:	
introduced by Mr. Hurlbut and referred.....	873
reported and tabled.....	1286
565. To legalize the making and recording of the original plat of French's addition to the village (now city) of Big Rapids:	
introduced by Mr. Gray and referred.....	873
reported and referred to committee of the whole.....	903
reported and ordered to third reading.....	1134
passed.....	1178
returned from Senate.....	1400
reported enrolled.....	1497
notice of approval.....	1561
566. To provide for laying out and digging a State ditch in the township of Lee, in the county of Calhoun, and making a grant of swamp land therefor:	
introduced by Mr. Brockway and referred.....	873
reported and referred to committee of the whole.....	3201
reported and ordered to third reading.....	2422
passed.....	2454
567. To amend an act entitled "An act to provide for the further geological survey of the State," approved March 26, 1869, and to add a new section thereto:	
introduced by Mr. Climie and referred.....	873
568. To amend sections 1025 and 1030, chapter 21, of the compiled laws, relative to commutation money to be paid to overseers of highways when persons neglect to commute for highway tax:	
introduced by Mr. Climie and referred.....	873
reported and tabled.....	1278
569. To amend section 1000, chapter 19, of the compiled laws, relative to payment of overseers of highways for excess of labor on highways:	
introduced by Mr. Climie and referred.....	874
reported and tabled.....	1278
570. To incorporate the city of Lowell:	
introduced by Mr. Garfield and referred.....	874
substitute reported for, adopted, and referred to committee of the whole.....	2146
reported and tabled.....	2405

INDEX.

2731

PAGE.

HOUSE BILLS:

571. To provide for the erection and maintenance of an orphan asylum :	
introduced by Mr. Gillam and referred.....	874
572. To establish and define the rights of landlords and tenants, in certain cases :	
introduced by Mr. Gibson and referred	874
573. To amend section 12, of chapter 65, of the revised statutes of 1846, being section 2731 of the compiled laws, relating to acknowledgments of deeds by married women residing in this State :	
introduced by Mr. Gillam and referred.....	874
reported and referred to committee of the whole.....	984
reported and ordered to third reading.....	1576-9
passed.....	1678
574. To provide for the drainage and reclamation of swamp lands by means of a State road and ditches from Manistee to Spring Lake, in the county of Manistee :	
introduced by Mr. W. H. C. Mitchell and referred.....	874
reported and tabled.....	1684
575. To provide for the laying out, establishing, and constructing a State road in the county of Alcona, and appropriating certain non-resident highway taxes therefor, to be known as the Pine river State road :	
introduced by Mr. J. Haynes and referred.....	875
reported and referred to committee of the whole.....	1285
reported and ordered to third reading	1860
passed	1896
returned from Senate.....	2214
reported enrolled.....	2299
notice of approval.....	2498
576. To provide for the recovery, preservation, and sale of lost or abandoned personal property found upon any of the waters within or bordering upon this State :	
introduced by Mr. J. Haynes and referred.....	875
577. To provide for the drainage and reclamation of swamp land by means of a State road and ditches from Sherman, in Wexford county, to Bear lake, in Manistee county :	
introduced by Mr. W. H. C. Mitchell and referred.....	875
reported and referred to committee of the whole.....	1498
reported and ordered to third reading.....	2117
recommitted.....	2126
reported and tabled.....	2540
578. To amend section 19, of chapter 163, of the revised statutes of 1846, being section 5995, in chapter 194, of the compiled laws, relative to the arrest and examination of offenders committed for trial and taking bail :	
introduced by Mr. Cochrane and referred.....	876
reported and referred to committee of the whole.....	1114
reported and ordered to third reading.....	1577
passed	1685
returned from Senate.....	2001
reported enrolled.....	2088
notice of approval.....	2085

	Page.
HOUSE BILLS :	
579. To amend section 1 of an act entitled "An act to provide for the establishment of school-district libraries," approved February 15, 1859 :	
introduced by Mr. Clement and referred.....	876
reported and referred to committee of the whole.....	1309-10
reported and ordered to third reading.....	1861
passed.....	1909
returned from Senate.....	2191
reported enrolled.....	2303
notice of approval.....	2497
580. To amend act number 43, of the session laws of 1869, entitled "An act to provide for the draining of swamps, marshes, and other low lands :	
introduced by Mr. Crane and referred.....	876
581. To provide for the laying out and establishing and constructing a State road in the county of Iosco, and appropriating certain non-resident highway taxes therefor, said road to be known as the Oscoda and Plainfield State road :	
introduced by Mr. J. Haynes and referred.....	876
reported and referred to committee of the whole.....	1225
reported and ordered to third reading.....	1599-1600
passed.....	1724
returned from Senate.....	2303
reported enrolled.....	2399
notice of approval.....	2497
582. To establish a branch State road to connect the Cass river and Bay City State road with the Forestville State road in Sanilac county, and making an appropriation of non-resident highway taxes for the same :	
introduced by Mr. Huston and referred.....	876
substitute reported for, adopted, and ordered to third reading.....	2144
passed and title amended so as to read : "To provide for laying out and constructing the Cass City and Sanilac State road, and making an appropriation of non-resident highway taxes for the same".....	2183-4
returned from Senate.....	2379
reported enrolled.....	2562
notice of approval.....	2562
583. Appropriating certain non-resident highway taxes to aid in the construction of the Cass river and Bay City State road :	
introduced by Mr. Huston and referred.....	877
reported and referred to committee of the whole.....	1088
reported and ordered to third reading.....	1841-3
passed.....	1509
returned from Senate.....	1947
reported enrolled.....	1986
notice of approval.....	2084
584. Making an additional appropriation of State swamp land for the construction of the Cass river and Bay City State road :	
introduced by Mr. Huston and referred.....	877
reported and referred to committee of the whole.....	1557-8
reported and ordered to third reading.....	2188
tabled.....	2163

HOUSE BILLS :

585. To authorize the clearing of the walks around the State buildings and permitting the men employed around the same to give the matter attention without incurring the displeasure of the House, or being liable to fine and imprisonment :
 introduced by Mr. H. Haynes and referred 877
 reported and tabled 2400
 taken from table and recommitted 2418
586. To provide for making appropriations for furnishing and repairing and painting the woodwork of the buildings and improving the grounds of the Institution for educating the Deaf and Dumb and the Blind :
 introduced by Mr. Williams and referred 877
 reported and made special order 1606
 reported and recommitted 1708
 reported and tabled 1816
 taken from table and made special order 1817
 reported and tabled 1948
587. To amend section five of an act entitled "An act to amend an act entitled an act to provide for the incorporation of railroad companies," approved February 12, 1855, approved March 15, 1861 :
 introduced by Mr. Gray and referred 880
 reported and referred to committee of the whole 1243-4
 reported and ordered to third reading 1842
 lost, reconsidered, and tabled 1866-7
588. To amend act number 145 of the session laws of 1869, being an act to provide for the punishment of convicted persons in the Detroit House of Correction :
 introduced by Mr. Hazen and referred 881
589. To amend section 2 of an act entitled an act to amend sections 32 and 33 of an act entitled an act to provide for the incorporation of railroad companies, approved February 12, 1855, and section 45 of said act, as amended by section 5, of act number 173, of the session laws of 1861, approved March 15, 1861, being act number 142 of session laws of 1869, approved April 3, 1869 :
 introduced by Mr. Gray and referred 881
 substitute reported for, adopted and passed, and title amended so as to read : "To provide for giving notice to county treasurers of lists of railroad grant lands which have become taxable" 2523-5
 returned from Senate 2534-5
 reported enrolled 2556
 notice of approval 2561
590. To exempt the county of Oakland from the operation of act number 43, of the session laws of 1869, entitled "An act to provide for the draining of swamps, marshes, and other low lands :"
 introduced by Mr. Frost and referred 881
591. To authorize Milton P. Bertch, his heirs and assigns, to improve the navigation of the Grand river from the city of Lansing to Lake Michigan, by constructing dams and locks of sufficient height to create slack-water navigation :
 introduced by Mr. Hart and referred 881-2
 reported and tabled 1888

HOUSE BILLS:

592. To amend act No. 44, of session laws of 1869, in relation to supervisors:	
introduced by Mr. Pattengell and referred.....	882
593. To regulate the size of fruit packages:	
introduced by Mr. Riford and referred.....	882
substitute reported for and referred to committee of the whole.....	1344
reported and ordered to third reading.....	1844
passed and title amended.....	1872
returned from Senate.....	2190
reported enrolled.....	2202
notice of approval.....	2497
594. To provide for the union and consolidation of Churches of Christ:	
introduced by Mr. McGonegal and referred.....	882
reported and referred to committee of the whole.....	1002
reported and ordered to third reading.....	1841-3
passed.....	1477
returned from Senate.....	1714
reported enrolled.....	1815
notice of approval.....	2039
595. To repeal act number 145, of the session laws of 1863, entitled "An act to provide for the sale of swamp and primary school lands, in the mineral range of the Upper Peninsula, heretofore withheld from market as mineral lands," approved March 19, 1863:	
introduced by Mr. S. W. Hill and referred.....	882
reported and referred to committee of the whole.....	2034-5
reported and ordered to third reading.....	2221
tabled.....	2338
taken from table and referred.....	2339
reported and tabled.....	2440-1
596. To restore to market swamp and other State lands, that have been from time to time withdrawn:	
introduced by Mr. S. W. Hill and referred.....	882
597. To amend section 107, of act 110, of session laws of 1861, approved March 15, 1861, to provide for the assessment of a two-mill tax for the support of schools:	
introduced by Mr. Hurlbut and referred.....	883
reported and tabled.....	2247-8
598. To amend section 63, of chapter 10, of the revised statutes, being section 404 of the compiled laws, relative to the apportionment of deputies by county clerks:	
introduced by Mr. Holland and referred.....	883
reported and referred to committee of the whole.....	929
599. To repeal an act entitled an act to incorporate the city of Lapeer, being act number 369, of session laws of 1869:	
introduced by Mr. Lamb and referred.....	883
substitute reported for, adopted, passed, and title amended so as to read: "To amend sections 3 and 95, of an act entitled 'An act to revise the charter of the city of Monroe,' approved March 21, 1871".....	2056-7
returned from Senate.....	2097
reported enrolled.....	2187

HOUSE BILLS:

600. To exempt the county of Oakland from the operation of act number 55, of the session laws of 1867, entitled "An act to provide for county superintendent of schools :"	
introduced by Mr. Webster and referred.....	885
substitute reported for, adopted and referred to committee of the whole	1845
reported and ordered to third reading.....	2219
substitute adopted for, and passed, and title amended so as to read: "To amend sections 1, 2, 3, and 14, of act number 55, of the session laws of the year 1867, being an act to provide for county superintendents of schools, and to amend section 91, and to repeal sections 74, 85, 86, 87, 88, 89, and 90, of chapter 78, of compiled laws,".....	2329-32
601. To amend section 150, of chapter 117, of the compiled laws, entitled "Of courts held by justices of the peace :"	
introduced by Mr. Huston and referred	888
602. To vacate the township of Algonquin, in Ontonagon county, and to attach the same to the township of Greenland, in said county :	
introduced by Mr. Harris and referred.....	888
reported and referred to committee of the whole.....	1944
reported and ordered to third reading.....	2220
passed	2336-7
603. To provide for the drainage and reclamation of swamp or low lands by means of straightening and deepening the Shiawassee river in the township of Fenton, and appropriating swamp lands in payment for the same :	
introduced by Mr. Moshier and referred	884
604. To amend section 28 of an act to provide for the incorporation of railroad companies, approved February 12, 1855 :	
introduced by Mr. Little and referred	884
605. To provide for the drainage and reclamation of swamp lands by means of certain State roads in the northern portions of the Lower Peninsula :	
introduced by Mr. Hazen and referred.....	856
reported and tabled.....	1635
606. To secure to the State road fund the proceeds of the State swamp lands in the Lower Peninsula :	
introduced by Mr. Hazen and referred.....	856
607. To incorporate the village of Eaton Rapids :	
introduced by Mr. Montgomery and referred.....	856
reported and referred to committee of the whole.....	1285
committee of the whole discharged from and recommitted, 1701	
reported and passed.....	1706-7
returned from Senate	2204
reported enrolled	2500
notice of approval	2559
608. Providing for the election of county auditors and prescribing their duties :	
introduced by Mr. J. Haynes and referred.....	856
609. To provide against the service of civil and criminal process upon pupils in actual attendance upon schools, in certain cases :	
introduced by Mr. Van Scoy and referred.....	856
610. To amend section 8300, of chapter 78, of the compiled laws, being section 58, of chapter 57, of the revised statutes of 1846, relative to the powers of district boards in school districts :	
introduced by Mr. Van Scoy and referred.....	856

	PAGE.
HOUSE BILLS:	
611. To amend an act entitled "An act imposing a specific tax upon corporations and chartered companies engaged in the business of mining, smelting, and refining ores in this State, approved March 10, 1865, as amended by act number 191 of the session laws of 1867:	
reported by committee on State affairs.....	807
reported and ordered to third reading.....	1132-5
recommitted.....	1166
reported and passed.....	1237
returned from Senate.....	2277
reported enrolled.....	2336
notice of approval.....	2499
612. To lay out and construct a State road in Clare and Gladwin counties, and making an appropriation of non-resident highway taxes therefor:	
reported and referred to committee of the whole.....	928
committee of the whole discharged from, and re-referred..	1294
reported and ordered to third reading.....	1819-20
passed.....	1834
returned from Senate.....	2396
reported enrolled.....	2502
notice of approval.....	2566
613. To provide for and regulate the taking of testimony in divorce cases:	
introduced by Mr. Cochrane and referred.....	
reported and tabled.....	935
taken from table and recommitted.....	1525
reported and passed, and title amended so as to read: "To provide for the appointment of three suitable persons commissioners to draft and prepare a bill for the organization of cities and villages by a general law, as contemplated by article 15, section 13, of the constitution".....	1556-7
returned from Senate.....	2323
reported enrolled.....	2501
notice of approval.....	2566
614. Relating to the extradition of persons accused of crime:	
introduced by Mr. Cochrane and referred.....	875

SENATE BILLS.

INDEXED BY SUBJECTS IN GENERAL INDEX.

1. To provide for paying publishers of newspapers for publishing the general laws of the State:	
received and referred.....	65
reported and passed.....	69

INDEX.

2737

PAGE.

SENATE BILLS:

2. To amend section 50 of "An act to provide for the incorporation of railroad companies," approved February 12, 1855 :

received and referred.....	82
reported and referred to committee of the whole.....	87
reported and ordered to third reading.....	99
recommitted.....	116-17
reported and passed.....	143
3. To authorize the consolidation of mining corporations :

received and referred.....	87
reported and referred to committee of the whole.....	104
reported and ordered to third reading.....	139
recommitted.....	153
passed.....	302
4. To legalize the tax roll of the township of Kasson, in the county of Leelanaw, for the year 1870 :

received and referred.....	101
reported and referred to committee of the whole.....	104
reported and ordered to third reading.....	139
passed.....	152
5. To amend an act entitled "An act to designate the holidays to be observed in the acceptance and payment of bills of exchange and promissory notes, in the holding of courts, and relative to the continuance of suits : "

received and referred.....	171
reported and referred to committee of the whole.....	567
reported and ordered to third reading.....	906-7
passed.....	965
6. To provide for the collection, compilation, and reprinting of the general laws of this State :

received and referred.....	193
reported and referred to committee of the whole.....	211
reported and ordered to third reading.....	257
passed.....	289
7. To authorize justices of the peace in any of the townships of Pokagon, Silver Creek, Wayne, and Lagrange, in the county of Cass, and residing within the corporate limits of Dowagiac, to hold their courts, criminal and civil, at any place within the limits of said corporation :

received and referred.....	193-4
reported and referred to committee of the whole.....	210
reported and ordered to third reading.....	257
lost, reconsidered and recommitted.....	285-7
substitute reported for, reported and passed, with title amended.....	1077-8
8. To amend an act entitled "An act to provide for the formation of joint stock companies for the purpose of owning and maintaining skating parks or rinks," approved April 5, 1869, being No. 151, of session laws of 1869 :

received and referred.....	193-4
reported and referred to committee of the whole.....	307
reported and ordered to third reading.....	396-7
passed.....	424

SENATE BILLS:

9. Regulating the fees of judges of probate, clerks of courts, justices of the peace, and notaries public, in certain cases:	
received and referred.....	194-5
reported and tabled.....	916-17
taken from table and referred to committee of the whole...	1931
reported and ordered to third reading.....	2230
passed.....	2354-5
10. To amend section 2, of act number 163, of the session laws of 1861, being an act entitled "An act relative to laying out, altering, and discontinuing highways:	
received and referred.....	194-5
reported and referred to committee of the whole.....	307-8
reported and ordered to third reading.....	396-7
passed.....	425
11. To provide for the election of two circuit court commissioners in counties having a population of twenty thousand or more, and to legalize the election of two circuit court commissioners in certain counties at the general election in 1870:	
received and referred.....	216-17
reported and referred to committee of the whole.....	343
reported and ordered to third reading.....	396-7
passed.....	426-7
12. To vacate and discontinue that portion of the Bay City and Tuscola plank road lying within the limits of Bay City:	
received and referred.....	217
reported and referred to committee of the whole.....	306
reported and ordered to third reading.....	396-7
passed.....	423
13. To amend section 14 of an act entitled "An act to provide for the organization of the Supreme Court pursuant to section 2, of article 6, of the constitution," approved February 16, 1857:	
received and referred.....	262
reported and referred to committee of the whole.....	345-6
reported and ordered to third reading.....	474-5
lost.....	504
reconsidered and lost.....	540-3
reconsidered and tabled.....	545
taken from table and lost.....	1261-2
14. To confirm the record of letters of attorney in certain cases:	
received and referred.....	271
reported and tabled.....	1076
taken from table and ordered to third reading.....	1932
recommitted.....	1978
reported and referred to committee of the whole.....	2312
reported and ordered to third reading.....	2423
passed.....	2479
15. To amend section ten, of chapter one hundred and thirteen, of the compiled laws of 1857, entitled "Of the circuit courts," approved April 8th, 1851, being section 3420 of the compiled laws:	
received and referred.....	271-2
reported and referred to committee of the whole.....	813
reported and ordered to third reading.....	437
passed.....	466

SENATE BILLS:

16. To repeal section 20, of chapter one hundred and forty, of the revised statutes of 1846, being section five thousand three hundred and eighty of the compiled laws.	
received and referred.....	273
reported and referred to committee of the whole.....	312
reported and recommitted.....	396-7
reported and ordered to third reading.....	492
recommitted.....	511-12
reported and recommitted.....	531-2
17. To amend section 2, of chapter 140, of the revised statutes of 1846, being section 5362 of the compiled laws, relative to limitation of actions:	
received and referred.....	317
18. To authorize the supervisors of the city of Coldwater, in the county of Branch, to assess, levy, and collect upon the taxable property of said city three thousand dollars, to aid in the construction of a county jail and sheriff's house in said city:	
received and referred.....	317
reported and passed.....	348
19. To change the name of the First Presbyterian Society of Lower Saginaw:	
received and referred.....	317
reported and referred to committee of the whole.....	385-6
reported and ordered to third reading.....	474-5
passed.....	510
20. To amend section 150, of chapter 117, of the compiled laws of 1857, entitled "Of courts held by justices of the peace," approved February 13th, 1855, being section 3802 of the compiled laws:	
received and referred.....	318
reported and referred to committee of the whole.....	1036
reported and ordered to third reading.....	1135
passed, and title amended.....	1184-5
21. To amend section 6, of chapter 124, being section 4160 of the compiled laws of 1857, relative to pleadings and set-offs:	
received and referred.....	318
reported and referred to committee of the whole.....	931
reported and ordered to third reading.....	1184-5
passed and title amended.....	1190-1
22. To amend section 3, of act number 125, of the session laws of 1869, entitled "An act to amend an act to provide for the registration of births, marriages, and deaths, being act number 194, session laws of 1867," approved March 27, 1867, and to add a new section thereto;	
received and referred.....	318
reported and referred to committee of the whole.....	350
reported and ordered to third reading.....	396
passed.....	427-8
returned to House, amendments non-concurred in.....	599
returned again, committee of conference appointed on.....	692-4
reported by committee of conference and tabled.....	1288
re-turned with substitute reported by committee of conference and tabled.....	1569-71
taken from table and indefinitely postponed.....	1757-8
23. To legalize the action of the joint board of school inspectors of the townships of Fair Grove, Gifford, and Denmark, in the county of Tuscola, Michigan:	
received and ordered to third reading.....	333
passed.....	357

SENATE BILLS:

PAGE.

24. To extend the time for the collection of taxes in the several wards in the city of Detroit, county of Wayne:
 received and passed 333-5
 reconsidered, amended and passed 336-7
25. To amend an act entitled "An act to revise the charter of the city of Detroit," approved February 5, 1857, as amended by several acts amendatory thereof:
 received and referred 351
26. To amend section 65, of chapter 14, of the revised statutes of 1946, being section 406 of the compiled laws, relative to county officers:
 received and referred 351-2
 reported and referred to committee of the whole 386
 reported and ordered to third reading 475
 passed 511
27. For the prevention of cruelty to animals, and to repeal section 5879 of the compiled laws:
 received and referred 352-3
 reported and referred to committee of the whole 386
 committee of the whole discharged from and recommitted, 470-1
 reported and tabled 490
28. To amend sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, and 18, of an act entitled "An act to provide for the incorporation of water-power companies," approved March 20, 1863, and to amend section one of an act entitled "An act to amend section fifteen, of act number 232, of the session, laws of 1863," being "An act to provide for the incorporation of water-power companies," approved March 20, 1863:
 received and referred 387
29. To organize union school district number one of the township of Alpena, in the county of Alpena, and to repeal section 20, of the laws of 1867, being an act to authorize the formation of union school district number one, in the township of Alpena, in the county of Alpena:
 received and referred 387-8
 reported and referred to committee of the whole 2150
 reported and ordered to third reading 2422
 tabled 2448
30. To legalize the organization of graded school district number one, of Port Austin township, Huron county, Michigan:
 received and passed 388-9
31. To change the name of Jennie Geroy and Marcus E. Geroy, to Mary Jennie Russell and Herbert Marcus Russell, and that they be constituted heirs-at-law of Lucien P. Russell:
 received and referred 452-3
 reported and referred to committee of the whole 751
 reported and ordered to third reading 1126
 passed 1164
32. To amend an act entitled "An act to amend an act entitled 'An act to incorporate the village of Ionia,' " approved February 16, 1865:
 received and referred 452-3
 reported and referred to committee of the whole 565
 committee of the whole discharged from and ordered to third reading 940
 passed 972

SENATE BILLS:

33. To re-incorporate the village of South Haven, and to repeal all inconsistent acts and parts of acts:	
received and referred	532-3
reported and referred to committee of the whole	564
reported and ordered to third reading	906-7
passed	966
34. To amend section 296 of the compiled laws, relative to commissioners of deeds in other States:	
received and referred	532-3
reported and ordered to third reading	595
passed	616
35. To amend section 3, of act number 16, of the session laws of 1869, entitled "An act to provide for the incorporation of the Father Mathew Total Abstinence Benevolent Societies:"	
received and referred	552-3
reported and referred to committee of the whole	577-8
committee of the whole discharged from and passed	658
36. To authorize the organization of companies for the construction of narrow gauge railways:	
received and referred	552-3
37. To amend sections 1, 2, 4, and 5, of act number 235, of the session laws of 1849, relative to the incorporation of the Grand Lodge of Free and Accepted Masons of Michigan, and to repeal act number 69, of the session laws of 1869:	
received and referred	597
reported and referred to committee of the whole	749
reported and ordered to third reading	1126
passed	1165
38. Relative to free schools in the city of Grand Rapids:	
received and referred	602
reported and referred to committee of the whole	682
reported and ordered to third reading	1021-2
passed	1065-9
39. To incorporate the village of Brighton, in the county of Livingston, and State of Michigan, and to define the boundaries thereof, and to repeal act number 300, of session laws of 1867:	
received and referred	602
reported and referred to committee of the whole	683-4
reported and ordered to third reading	1021-2
passed	1061
40. To legalize the tax-roll of the township of Saugatuck, in the county of Allegan, for the year 1870:	
received and referred	623
reported and referred to committee of the whole	629
reported and ordered to third reading	994-5
passed	1006
41. To organize the township of Grout, in the county of Gladwin:	
received and referred	623
reported and referred to committee of the whole	677
reported and ordered to third reading	1021-2
passed	1064
42. To provide a punishment for the unlawful taking of logs, masts, and spars:	
received and referred	641
reported and referred to committee of the whole	676
reported and ordered to third reading	1021-2
passed	1064-5

SENATE BILLS :

43. To incorporate the village of Coopersville :	
received and referred	694
reported and referred to committee of the whole	753
committee of the whole discharged from, and ordered to third reading	940
passed	971
44. To amend sections 11, 12, 13, and 26, of act 180, session laws of 1865, entitled "An act to incorporate the village of Otsego," approved March 15, 1865 :	
received and referred	694
reported and referred to committee of the whole	749
reported and ordered to third reading	1136
recommitted	1164
reported and passed	1194-5
45. To amend section 56, of chapter 10, of the compiled laws, in relation to reports of prosecuting attorneys :	
received and referred	756
reported and referred to committee of the whole	1077
reported and ordered to third reading	1534-6
passed and title amended	1621-2
46. To change the names of James Selkrig, Electa C. Selkrig, Portia Mariab Selkrig, Charles Vassar Selkrig, Lucia Senoretta Selkrig, Matthew Vassar Selkrig, and Catherine Vassar Selkrig, to surname of Selkirk :	
received and referred	756
reported and referred to committee of the whole	1872
reported and ordered to third reading	2052
passed	2099
47. To amend section 106, act 169, laws of 1869, being an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon :	
received and referred	756
reported and referred to committee of the whole	1380
reported and recommitted	2018
reported and lost	2035-6
reconsidered and tabled	2036
taken from table and lost	2230
reconsidered and passed	2233-4
48. To amend section 457 of the compiled laws, relative to notaries public :	
received and referred	756
reported and referred to committee of the whole	1087
reported and ordered to third reading	1135
passed	1183
returned and amendments insisted on	1291-3
returned and committee of conference appointed on	1393-4
report of committee of conference on, concurred in	2439
49. To provide for the erection of an addition to the present Asylum for the Insane at Kalamazoo, and for other purposes :	
received and referred	757
reported and made special order	1083
considered in committee of the whole	1207
reported and ordered to third reading	1210-11
recommitted	1264
substitute reported for, and ordered printed	1490

SENATE BILLS:

49. To provide for the erection of an addition to the present Asylum for the Insane at Kalamazoo, and for other purposes:	
tabled.....	1578
taken from table and made special order.....	1595
considered in committee of the whole.....	1701
reported and passed.....	1802-3
motion to reconsider, tabled.....	1804
50. To incorporate the village of Vermontville:	
received and referred.....	757
reported and referred to committee of the whole.....	915
reported and ordered to third reading.....	1184
passed.....	1179
51. To detach certain territory from the township of Stronach, in the county of Manistee, and to attach such territory to the township of Filer:	
received and referred.....	757
request to return to Senate.....	989
reported without action.....	955
52. To authorize the Adrian Church Association to convey certain real estate:	
received and referred.....	757
reported and referred to committee of the whole.....	917
reported and referred to committee of the whole.....	1184
passed.....	1180
53. To change the name of Ernest Meddau to Ernest McCullough, and to constitute him the heir at law of John McCullough, of Genesee county, Michigan:	
received and referred.....	758
reported and referred to committee of the whole.....	1871-2
reported and ordered to third reading.....	2052
passed.....	2100
54. To provide for the purchase of books for the State library:	
received and referred.....	758
reported and referred to committee of the whole.....	901
reported and ordered to third reading.....	1183
passed.....	1176
55. To lay out and establish a State road in the counties of Midland and Gladwin, and to appropriate certain non-resident highway taxes for the construction thereof:	
received and referred.....	758
reported and referred to committee of the whole.....	1870
committee of the whole discharged from and recommitted, reported and ordered to third reading.....	1526
recommitted.....	1710
reported and ordered to third reading.....	1783-4
passed.....	1821
returned from Senate and House amendments adhered to.....	1835-6
vote adhering reconsidered and clerk directed to request Senate to return.....	2281-2
returned and amendments insisted on.....	2382
returned and committee of conference appointed on.....	2358
report of committee of conference on, concurred in.....	2407
	2419

SENATE BILLS:

56. To amend section 1, of act number 38, of the session laws of 1867, entitled "An act to prevent fishing with seines and every kind of continuous nets, in the waters of the counties of Branch, Livingston, Cass, St. Joseph, Kent, Ionia, Genesee, and Calhoun, or in any of the lakes, rivers, or streams of Macomb county," and to extend the provisions of said act to the counties of Kalamazoo and Jackson:	
received and referred.....	781
reported and referred to committee of the whole.....	1117
reported and recommitted.....	1598-1601
reported and ordered to third reading.....	1741
passed and title amended so as to read: "To prevent fishing with seines or any species of continuous nets in any of the inland lakes or small streams of this State, and to repeal all acts and parts of acts inconsistent therewith,"	1754-5
57. To transfer certain real estate to school district number 5, of the township of Hudson:	
received and referred.....	781
reported and referred to committee of the whole.....	1229
reported and ordered to third reading.....	1600
passed.....	1725
58. To amend and revise an act entitled "An act to incorporate the city of Holland," approved March 25, 1867:	
received and referred.....	781
reported and referred to committee of the whole.....	893
committee of the whole discharged from and ordered to third reading.....	1093
passed.....	1147-8
59. To amend section 1, of title 2, and section 21, of title 5, of an act entitled "An act to incorporate the city of Manistee," approved March 15, 1869:	
received and referred.....	782
reported and referred to committee of the whole.....	903
committee of the whole discharged from and ordered to third reading.....	989
passed.....	970
60. To prescribe notice by county clerks to the Attorney General in criminal cases:	
received and referred.....	782
reported and referred to committee of the whole.....	1077
reported and ordered to third reading.....	1534-6
passed.....	1619-20
61. Changing the name of the township of Sleeping Bear, in the county of Leelanaw, to that of Glen Arbor:	
received and referred.....	782
reported and referred to committee of the whole.....	839
reported and ordered to third reading.....	1133
passed.....	1170
62. To authorize the city of Manistee to issue its bonds for the purchase of a steam fire engine:	
received and referred.....	782
reported and referred to committee of the whole.....	1023
reported and ordered to third reading.....	1184
passed.....	1181

INDEX.

2745

	PAGE.
SENATE BILLS:	
63. Changing the name of the township of Glen Arbor, in the county of Leelanaw, to that of Cleveland:	
received and referred	782
reported and referred to committee of the whole	839
reported and ordered to third reading	1133
passed	1171
64. To extend the time for the collection of taxes in the township of Novi, in the county of Oakland:	
received, amended and passed	827
65. To authorize Bay county to issue bonds for constructing a bridge across the Saginaw river:	
received and referred	847
reported and referred to committee of the whole	1038-9
reported and ordered to third reading	1134
passed	1182-8
66. To amend section 4 of the act supplementary to an act entitled "An act to establish the Detroit House of Correction, and to authorize the confinement of convicted persons therein," approved March 27, 1867:	
received and passed	878
67. To cause an act entitled "An act to authorize the consolidation of mining corporations" to take immediate effect:	
received and passed	981-2
68. Making appropriation for the erection of a chemical laboratory for the State Agricultural College:	
received and referred	983
reported and referred to committee of the whole	1034-5
reported and ordered to third reading	1534-6
passed	1667
69. To provide for vacating cemetery plats and cemetery grounds in the limits of incorporated cities and villages:	
received and referred	1012
reported and referred to committee of the whole	1368-9
reported and ordered to third reading	2051
re-referred	2096-7
reported and passed	2238-9
70. To provide for the drainage and reclamation of swamp lands lying in the counties of Charlevoix and Antrim, by means of straightening, deepening, and removing obstructions in the channel of Pine river:	
received and referred	1012
reported and referred to committee of the whole	1377
reported and ordered to third reading	2051
tabled	2179
taken from table and ordered to third reading	2486
passed	2491
71. Relative to laying out temporary highways:	
received and referred	1012
reported and referred to committee of the whole	1279
reported and ordered to third reading	1860
substitute offered for, and recommitted with instructions to adopt	1900-1
reported and passed	1987

SENATE BILLS:

72. To amend section 40 of an act entitled "An act to authorize the business of banking," approved February 16, A. D. 1857:
- | | |
|------------------------------------------------------|---------|
| received and referred..... | 1012-13 |
| reported and referred to committee of the whole..... | 1085 |
| reported and ordered to third reading..... | 1535-6 |
| passed..... | 1622 |
73. To authorize the adoption by Gilbert M. Hasty and Sabina D. Hasty, of an infant female child, and to constitute her an heir-at-law:
- | | |
|------------------------------------------------------|--------|
| received and referred..... | 1012 |
| reported and referred to committee of the whole..... | 1371 |
| reported and ordered to third reading..... | 2052 |
| passed..... | 2102-3 |
74. To establish the fiscal year for the Treasury of this State, to fix the time for the annual reports of the State officers, and to provide for the printing and distribution thereof:
- | | |
|------------------------------------------------------|-----------|
| received and referred..... | 1012 |
| reported and referred to committee of the whole..... | 1699-1700 |
| reported and ordered to third reading..... | 2139 |
| passed..... | 2176 |
75. To amend an act entitled "An act to authorize dissection in certain cases for the advancement of science," approved March 27, 1867:
- | | |
|------------------------------------------------------|---------|
| received and referred..... | 1012 |
| reported and referred to committee of the whole..... | 1075 |
| reported and ordered to third reading..... | 1298-9 |
| tabled..... | 1413 |
| taken from table and recommitted..... | 2014 |
| reported and passed..... | 2018-19 |
76. To provide for the superintendence and care of the Portsmouth Town Line plank road in Bay county:
- | | |
|----------------------------------------------------------------------|--------|
| received and referred..... | 1013 |
| reported and referred to committee of the whole..... | 1041 |
| reported and ordered to third reading..... | 1134 |
| tabled..... | 1182 |
| taken from table and passed..... | 1224-5 |
| reconsidered, and motion to request its return from Senate lost..... | 1294 |
77. To amend section 11 of "An act relative to free schools in the city of Detroit," approved February 24, 1869:
- | | |
|--------------------------------------------------------|------|
| received and referred..... | 1013 |
| reported and referred to committee of the whole..... | 1590 |
| committee of the whole discharged from and passed..... | 1855 |
78. To revise and amend "An act to incorporate the city of La-peer," approved March 30, 1869:
- | | |
|---------------------------------------------------------------|---------|
| received and referred..... | 1013 |
| reported and referred to committee of the whole..... | 1132 |
| committee of the whole discharged from, and recommitted,..... | 1481 |
| reported and passed..... | 1549-50 |
79. To amend an act entitled "An act to revise the charter of the city of St. Clair," approved March 18, 1863, and to add thereto two new sections, to stand as sections 216 and 217:
- | | |
|--------------------------------------------|------|
| received and referred..... | 1013 |
| reported and ordered to third reading..... | 1086 |
| passed..... | 1092 |

INDEX.

2747

PAGE.

SENATE BILLS:

80. To authorize the trustees of the First Presbyterian church of Lansing, Ingham county, to sell and convey certain real estate :
received and referred..... 1018
reported and tabled..... 1075
taken from table and referred to committee of the whole... 1826
reported and ordered to third reading.....1585-6
passed..... 1619
81. To repeal chapter 7, of act number 452, session laws of 1869, entitled "An act to amend and revise the charter of the city of Port Huron :"
received and referred.....1013-14
82. To provide for the erection of a new State Capitol, and a building for the temporary use of the State offices :
received and referred..... 1046
reported and referred to committee of the whole.....1494-5
committee of the whole discharged from and made special order..... 1526
reported and passed.....1651-2
83. To provide for the deposit and safe keeping of the public moneys collected in the county of Wayne, and to prescribe the duties of the treasurer and board of auditors of said county in relation thereto :
received and referred..... 1052
reported and referred to committee of the whole..... 1381
reported and ordered to third reading..... 1983
tabled.....1977-8
taken from table and lost.....2013-14
84. To amend the general banking law, entitled "An act to authorize the business of banking," approved February 16, 1857, and the acts amendatory thereto, so as to provide for the organization of savings banks :
received and referred..... 1052
reported and referred to committee of the whole.....1193-4
reported and ordered to third reading1597-1601
passed..... 1719
85. To amend an act entitled "An act to amend an act entitled 'An act to establish a police government for the city of Detroit,' and to add two more sections thereto," approved March 9, 1867 :
received and referred..... 1053
reported and referred to committee of the whole.....1633-4
reported and ordered to third reading..... 2216
lost..... 2340
86. To confer certain powers on manufacturing companies :
reported and referred to committee of the whole..... 1084
reported and ordered to third reading.....1534-6
lost..... 1620-1
87. To provide for laying out and constructing the Flint river State road, in Saginaw and Genesee counties, and appropriating certain non-resident highway taxes therefor :
received and referred..... 1090
reported and referred to committee of the whole..... 1277
reported and ordered to third reading..... 1860
passed..... 1902

	Page.
SENATE BILLS :	
88. To amend certain sections of an act entitled "An act to organize union school district of Bay City :"	
received and referred.....	1120
reported and referred to committee of the whole.....	1310
committee of the whole discharged from, and recommitted, reported and passed.....	1697 1812
89. To amend an act entitled "An act to incorporate the village of Portsmouth," approved March 24, 1869, being act number 347 of the session laws of 1869 :	
received and referred.....	1121
reported and referred to committee of the whole.....	1499
reported and ordered to third reading.....	2118
passed.....	2130
90. To amend an act to incorporate the village of Three Rivers, approved February 13, 1855, and to amend an act to amend an act to incorporate the village of Three Rivers, approved March 22, 1867 :	
received and referred.....	1121
reported and referred to committee of the whole.....	1131
committee of the whole discharged from and passed.....	1352
91. To amend section 23 of an act entitled "An act relative to the organization and powers of fire and marine insurance companies transacting business within this State :"	
received and referred.....	1121
reported and referred to committee of the whole.....	1226
reported and ordered to third reading.....	1597-1601
passed.....	1725
92. To confirm the title to lot one, of block ninety-six, of the city of Lansing, in "St. Paul's Episcopal Church," of said city of Lansing, and to authorize said society to dispose of the same :	
received and referred.....	1246
reported and referred to committee of the whole.....	1450
reported and ordered to third reading.....	2055
passed.....	2112
93. To amend section 8, of act number 140, laws of 1863, being "An act to provide for the selection, care, and disposition of the lands donated to the State of Michigan by act of Congress, approved July 2, 1862, for the endowment of colleges for the benefit of agriculture and the mechanic arts," approved March 18, 1863 :	
received and referred.....	1246
reported and referred to committee of the whole.....	1286
reported and ordered to third reading.....	1860
passed.....	1899
94. To amend section 25, of chapter 140, of the compiled laws, as amended by act number 159, of the session laws of 1869, approved April 5, 1869 :	
received and referred.....	1246
reported and referred to committee of the whole.....	2388
reported and ordered to third reading.....	2423
passed.....	2480
95. To legalize the tax-rolls of the several townships of Bay county for the year 1869 :	
received and referred.....	1246
reported and tabled.....	1440
taken from table and ordered to third reading.....	1891
passed.....	1918-19

SENATE BILLS:

96. To amend act number 146, of the session laws of 1861, entitled "An act to amend sections 404 and 405 of the compiled laws, being sections 63 and 64 of chapter 10, enabling county clerks to appoint deputies:"	
received and referred.....	1246
reported and referred to committee of the whole.....	1276
reported and ordered to third reading.....	1860-1
passed.....	1903
97. To legalize the incorporation of the society known as "The Literary Adelphi of Detroit:"	
received and referred.....	1246
reported and referred to committee of the whole.....	1811
reported and ordered to third reading.....	1861
passed.....	1913
98. To incorporate the village of Banks:	
received and referred.....	1246
reported and referred to committee of the whole.....	1441
committee of the whole discharged from and recommitted, 1630	
reported and passed.....	1638-9
99. To provide for the payment of the salaries of the military officers of the State:	
received and referred.....	1247
reported and referred to committee of the whole.....	1495
reported and ordered to third reading.....	2117
passed.....	2126-7
100. To provide for the laying out, establishing, and construct- ing a State road from the Saginaw river westerly to Freeland Station, in the county of Midland, to be known as the Koch- ville and Freeland Station State road:	
received and referred.....	1247-8
reported and referred to committee of the whole.....	1369
reported and ordered to third reading.....	2051-2
passed.....	2102
101. To extend the time of payment of certain ditch taxes in the township of Howell, in the county of Livingston:	
received and referred.....	1248
reported and referred to committee of the whole.....	1275
reported and ordered to third reading.....	1861
passed.....	1904
102. To amend section one, of act No. 162, laws of 1851, being "An act to provide the furnishing of fuel and stationery for the use of the State, and also the State printing and binding," approved June 24, 1851:	
received and referred.....	1248
reported and referred to committee of the whole.....	1275
committee of the whole discharged from and recommitted, 1319	
reported and tabled.....	1609-10
taken from table and referred to committee of the whole.....	1931
committee of the whole discharged from and recommitted, 2116	
reported and referred to committee of the whole.....	2311
all after enacting clause stricken out and enacting clause tabled.....	2425-7
103. To provide for the incorporation of ferry companies:	
received and referred.....	1248
reported and referred to committee of the whole.....	1325
reported and ordered to third reading.....	1934
passed.....	1972

SENATE BILLS:

104. To amend section 3, of title 1, section 6, of title 2, sections 2, 9, 16, and 21, of title 3, section 7, of title 4, and section 17, of title 6, of an act entitled "An act to revise the charter of the city of Lansing," approved February 3, 1869:
 received and referred..... 1248
 reported and ordered to third reading..... 1502
 tabled..... 1517
 taken from table and passed..... 1529-30
105. To amend sections 18, 41, and 57 of an act entitled "An act to revise the charter of the village of Wenona," approved March 20, 1869, and to add five new sections thereto, to stand as sections 62, 63, 64, 65, and 66:
 received and referred..... 1248
 reported and referred to committee of the whole..... 1325
 committee of the whole discharged from and ordered to third reading..... 1892
 passed..... 1920-1
106. To provide for the incorporation of societies for the promotion of pomology, horticulture, and kindred sciences and arts, in the State of Michigan:
 received and referred..... 1248
 reported and referred to committee of the whole..... 1366
 reported and ordered to third reading..... 2051-2
 passed..... 2103-4
107. To amend section 1 of an act entitled "An act to define certain offenses affecting railroads, and to provide punishment for the same," approved April 5, 1869:
 received and referred..... 1249
 reported and referred to committee of the whole..... 1500
 reported and ordered to third reading..... 2117
 passed..... 2127
108. To amend section 149 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869:
 received and referred..... 1249
 reported and referred to committee of the whole..... 1303
 reported and ordered to third reading..... 1861-2
 passed..... 1915
109. To amend section 28 of an act entitled "An act to revise and consolidate the general acts relating to the support and maintenance of poor persons," approved February 5, 1869:
 received and referred..... 1249
 reported and referred to committee of the whole..... 1276
 reported and ordered to third reading..... 1859
 passed..... 1902
110. To grant and surrender the rights, franchises, and interests of the State of Michigan in and to the Bay City and Tuscola plank road, to the Bay City, Watrousville, and Vassar plank road company:
 received and referred..... 1249
 reported and referred to committee of the whole..... 1499
 reported and ordered to third reading..... 2118
 passed..... 2129
111. To provide for the better protection of human life on railroad trains:
 received and referred..... 1250
 reported and referred to committee of the whole..... 1500-1
 reported and ordered to third reading..... 2137
 passed..... 2157

	PAGE.
SENATE BILLS :	
112. To amend section 1, of act number 35, of the session laws of 1869, approved March 16, 1869, relative to a soldiers' aid fund :	
received and referred.....	1249
reported and referred to committee of the whole.....	1305-6
reported and ordered to third reading.....	1861
passed.....	1912
113. To incorporate the village of Dundee :	
received and referred.....	1253
reported and referred to committee of the whole.....	1500
committee of the whole discharged from and recommitted.....	1392
reported and passed.....	1941
114. To amend section 1, of act number 168, of the session laws of 1869, entitled " An act to define the powers and duties of highway commissioners in certain cases : "	
received and referred.....	1253
reported and referred to committee of the whole.....	1324-5
committee of the whole discharged from and ordered to third reading.....	1595-6
passed.....	1686-7
115. To provide for the appointment of commissioners to procure lands for the enlargement of the St. Mary's Falls ship canal :	
received and referred.....	1253
reported and referred to committee of the whole.....	1308
reported and ordered to third reading.....	1860
passed.....	1914
116. To repeal section 2 of an act entitled " An act to amend chapter 123 of the revised statutes of 1846, being section 5002 of the compiled laws : "	
received and referred.....	1254
reported and referred to committee of the whole.....	1456
reported and ordered to third reading.....	2055
recommitted.....	2111-12
reported and passed.....	2198-9
117. To incorporate the village of Fowlerville, in the county of Livingston, and State of Michigan, and to define the boundaries thereof :	
received and referred.....	1254
reported and referred to committee of the whole.....	1311
reported and ordered to third reading.....	2017
passed.....	2091
118. To amend an act entitled "An act to revise and amend an act to incorporate the city of Ann Arbor," approved April 4, 1851, and an act amendatory thereto, approved February 12, 1859, and also an act amendatory thereto, approved February 25, 1861, approved March 23, 1867 :	
received and referred.....	1254
reported and passed.....	1283-4
119. To provide for repairing the State Prison, and for making certain additions and repairs thereto :	
received and referred.....	1258
reported and referred to committee of the whole.....	1494
reported and ordered to third reading.....	2117
recommitted.....	2126
reported and passed.....	2242

SENATE BILLS:

120. To amend section 3, of chapter 149, of the revised statutes of 1846, being section 5597 of the compiled laws, relative to costs and the recovery and taxation thereof in civil cases:	
received and referred	1258-9
reported and referred to committee of the whole	1456
reported and ordered to third reading ..	2055
passed	2111
121. Supplementary to the charter of the city of Detroit, relating to a public park, or other public grounds, for the use of said city:	
received and referred	1259
reported and referred to committee of the whole	1632
reported and ordered to third reading	2139
passed	2172
122. To prevent the destruction of mink and muskrats, and muskrat houses, within the limits of this State:	
received and referred	1259
reported and referred to committee of the whole	1308
reported and ordered to third reading	1860
lost	1913
reconsidered and tabled	1980
123. To amend section 17, of chapter 130, of the revised statutes of 1846, the same being section 5193 of the compiled laws, relative to the foreclosure of mortgages by advertisement:	
received and referred	1259
reported and referred to committee of the whole	1457
reported and ordered to third reading	2055
passed	2110
124. To amend sections 5318 and 5323, of the compiled laws, being sections 1 and 6, of chapter 162, entitled "Of writs of mandamus and prohibition:"	
received and referred	1259
reported and referred to committee of the whole	1940
reported and ordered to third reading	2220
passed	2364-5
125. To amend sections 3993 and 3994, of chapter 119, of the compiled laws, relative to circuit court commissioners:	
received and referred	1260
reported and tabled	1455-6
126. To amend chapter 26 of the compiled laws, entitled "Of the regulation of ferries," by repealing sections 3 and 4 of said chapter, and by adding a new section thereto, providing for the laying out, constructing, maintaining, altering, or discontinuing of ferry landings, and for the use of highways or such landings:	
received and referred	1291
reported and referred to committee of the whole	2243
reported and ordered to third reading	2423
passed	2475
127. To amend sections 3, 4, 5, 16, 17, and 32 of an act entitled "An act to incorporate the city of Jackson," approved February 14, 1857, and to add three new sections thereto:	
received and passed	1295-6
128. To reorganize the eighth, and to create the seventeenth judicial circuit:	
received and referred	1314
reported and referred to committee of the whole	1874
committee of the whole discharged from and passed	1459

INDEX.

2753

PAGE.

SENATE BILLS:

129. To reorganize the tenth judicial circuit, and to create the eighteenth judicial circuit:	
received and referred.....	1814
reported and referred to committee of the whole.....	1874
committee of the whole discharged from and recommitted,	1404
reported, tabled, and ordered printed.....	1408
taken from table and passed.....	1460-1
130. To amend an act entitled "An act to incorporate the village of Mason," approved March 9, 1865, and acts amendatory thereto, and to repeal sections 13, 14, and 15 of said act:	
received and referred.....	1814
reported and referred to committee of the whole.....	1878
committee of the whole discharged from and passed.....	1694-5
131. To provide for the punishment and detention of certain persons in the Detroit House of Correction, and to repeal act number 145, of the laws of 1869, relative to the same subject:	
received and referred.....	1834
reported and referred to committee of the whole.....	2241
reported and ordered to third reading.....	2423
lost.....	2472
132. To authorize the dissolution of mining and manufacturing companies organized under chapter 68 of the compiled laws, and the acts amendatory thereof, in certain cases, and for the distribution of the assets thereof among the stockholders thereof:	
received and referred.....	1835
reported and referred to committee of the whole.....	1867
reported and ordered to third reading.....	2054
lost.....	2107
reconsidered and tabled.....	2108
taken from table and passed.....	2198
133. To provide for the laying out and establishing a State road in the county of Sanilac:	
received and referred.....	1385
reported and referred to committee of the whole.....	1370
reported and ordered to third reading.....	2052
passed.....	2101
134. To amend an act entitled "An act to incorporate the city of East Saginaw," approved February 15, 1859, as amended by act number 56, of the session laws of 1861, approved February 20, 1861, and act number 79, of the session laws of 1865, approved March 1, 1865, and act number 391, of the session laws of 1867, approved March 22, 1867, and act number 284, of the session laws of 1869, approved March 16, 1869:	
received and referred.....	1835
reported and referred to committee of the whole.....	1502
committee of the whole discharged from, and recommitted,	1758-9
reported and ordered to third reading.....	1822
passed.....	1836-7
135. To provide for giving notice to county treasurers of lists of railroad grant lands which have become taxable:	
received and referred.....	1836
reported and referred to committee of the whole.....	1832
reported and ordered to third reading.....	2052
passed.....	2105

SENATE BILLS :

136. To authorize the city of East Saginaw to purchase or build and maintain a bridge across the Saginaw river :	
received and referred.....	1336
reported and referred to committee of the whole.....	1500
reported and ordered to third reading.....	2118
passed.....	2128
137. To amend sections 16, 23, 24, 25, 28, 29, 57, 65, 66, 67, 80, 106, 137, and 139, of chapter 58, of the revised statutes of 1846, being sections 2259, 2266, 2267, 2268, 2271, 2282, 2300, 2306, 2309, 2310, 2323, 2349, 2378, and 2380, of the compiled laws ; also, section 2384 of the compiled laws, as amended by an act approved April 3d, 1866 ; also, section 4 of an act approved March 26th, 1867, amending an act to establish graded and high schools, approved February 14th, 1859 ; also, section 2411 of the compiled laws, the same being section 13 of an act for the relief of school districts, approved February 7th, 1855 :	
received and referred.....	1336
reported and referred to committee of the whole.....	1886
reported and ordered to third reading.....	2051-2
passed.....	2106
138. To provide for the re-assessment, collection, and return of certain ditch taxes in the township of Romulus, in the county of Wayne :	
received and referred.....	1396
reported and referred to committee of the whole.....	1745
reported and ordered to third reading.....	2216
tabled.....	2350
139. Appropriating four sections of State swamp land to complete the Port Sanilac and Tuscola State road :	
received and referred.....	1462
reported and passed.....	1469
140. To extend the time for the collection of taxes for the year 1870, in the city of Jackson, in the county of Jackson :	
received and passed.....	1462
141. To amend an act entitled " An act to revise the charter of the city of Grand Rapids, being amendatory of an act entitled ' An act to incorporate the city of Grand Rapids, ' approved April 2, 1850, as amended by the several acts amendatory thereof, " approved March 14, 1871 :	
received and referred to special committee.....	1463
reported and ordered to third reading.....	1503-3
passed.....	1518
142. To revise and amend the charter of the village of Hubbardston :	
received and referred.....	1464
reported and referred to committee of the whole.....	1611
committee of the whole discharged from and passed.....	1695-6
143. To legalize the action of the commissioners of highways of the township of Romulus, in the county of Wayne, in the laying out, locating, and establishing certain drain ditches in said township, for the years 1867 and 1868 :	
received and referred.....	1464
reported and referred to committee of the whole.....	1745
reported and ordered to third reading.....	2216
lost.....	2343

INDEX.

2755

PAGE.

SENATE BILLS:

144. To incorporate the public schools in the city of Battle Creek :	
received and referred.....	1464
reported and referred to committee of the whole.....	1553
reported and ordered to third reading.....	2187
passed.....	2160
145. To amend section two, of article 6, of act number 245, of the session laws of 1869, entitled " An act to revise the charter of the village of Allegan :"	
received and referred.....	1464
reported and passed.....	1607-8
146. To provide for the uniform inspection of lumber :	
received and referred.....	1464
reported and referred to committee of the whole.....	1593
committee of the whole discharged from and ordered to third reading.....	1694
passed.....	1753
147. To amend section 7 of an act entitled " An act to authorize the formation of corporations for literary and scientific purposes," approved March 21, 1865, as amended by an act amendatory thereof, approved March 4, 1869 :	
received and referred.....	1465
reported and referred to committee of the whole.....	1788-9
reported and ordered to third reading.....	2217
passed.....	2347
148. To incorporate the city of Charlotte :	
received and passed.....	1467-8
149. To regulate the transportation of freight and passengers, and the management of railroads of this State not incorporated under an act entitled " An act to provide for the incorporation of railroad companies," as approved February 12, 1855 :	
received and referred.....	1504
reported and referred to committee of the whole.....	1944
reported and ordered to third reading.....	2320
recommitted.....	2367
reported and passed.....	2500-10
150. To amend sections 1662 and 1663 of the compiled laws, being sections 2 and 3 of the act entitled " Of the manufacture and sale of intoxicating drinks as a beverage," approved February 8, 1855 :	
received and referred.....	1504
reported and referred to committee of the whole.....	1883-4
reported and ordered to third reading.....	2319
passed.....	2341-3
151. To incorporate the city of Alpena :	
received and referred.....	1504
reported and passed.....	1550-1
152. To legalize the proceedings of the Farmers' Mutual Insurance Company of Macomb and St. Clair counties :	
received and referred.....	1505
reported and referred to committee of the whole.....	1632
committee of the whole discharged from and ordered to third reading.....	1760
passed.....	1839

SENATE BILLS:

153. Making appropriations for the support of the Michigan Institution for educating the deaf and dumb, and the blind, for the years 1871 and 1872, and for completing and furnishing the buildings, and improving the grounds of said Institution, and for purchasing tools and stock, and to pay foremen of shops of same:
- received and referred..... 1563
 - committee discharged from, and made special orders 1592
 - reported and recommitted..... 1703
 - reported and made special order..... 1816
 - minority report on..... 1817-18
 - reported and ordered to third reading..... 1942-3
 - passed..... 2005-6
154. To establish a State Public School for dependent and neglected children:
- received and referred..... 1565
 - reported and referred to committee of the whole..... 1819
 - considered in committee of the whole..... 2217-18
 - reported and ordered to third reading..... 2219
 - passed..... 2352
155. Regulating the responsibility of the agents of insurance companies doing business in this State:
- received and referred..... 1654
 - reported and referred to committee of the whole..... 1705-6
 - reported and ordered to third reading..... 2139
 - passed..... 2177
156. To amend section 4, chapter 47, of the revised statutes of A. D. 1846, being section 1606 of the compiled laws, entitled "Of lost goods and stray beasts:"
- received and referred..... 1654
 - reported and referred to committee of the whole..... 1740
 - reported and ordered to third reading..... 2216
 - passed..... 2351
157. To amend section eighteen hundred and thirteen, being section fifteen, of chapter sixty-three, of the compiled laws, as amended by an act entitled "An act to amend section eighteen hundred and thirteen, being section fifteen, of chapter sixty-three, of the compiled laws," approved February 5, 1859:
- received and referred..... 1655
 - reported and referred to committee of the whole..... 1813
 - reported and ordered to third reading..... 2217
 - tabled..... 2350
 - taken from table and passed..... 2463-4
158. To amend section 1, of an act entitled "An act relative to laying out, altering and discontinuing highways," approved March 15, 1861:
- received and referred..... 1655
 - reported and referred to committee of the whole..... 2244
 - reported and ordered to third reading..... 2424
 - lost..... 2475-6
 - return to House requested..... 2506
159. To prohibit railroad companies from being engaged or interested in draying or carting goods or freights to and from their depots or stations, whose lines of railroad extend one hundred miles or more in length:
- received and referred..... 1655
 - reported and tabled..... 2120
 - taken from table and ordered to third reading..... 2508
 - lost..... 2514-15

INDEX.

2757

PAGE.

SENATE BILLS:

160. To amend section 1 of an act entitled "An act relative to proof of demands in suit," approved March 26th, 1867:	
received and referred.....	1655
reported and referred to committee of the whole.....	1742
reported and ordered to third reading.....	2216
passed.....	2350
161. To provide for the publication of lists of claims allowed by the board of county auditors for the county of Wayne:	
received and referred.....	1655
reported and referred to committee of the whole.....	1700
reported and ordered to third reading.....	2187
passed.....	2173-5
162. To amend sections 5 and 15 of "An act to authorize the formation of corporations for the purpose of improving the navigation of rivers," approved April 5, 1869:	
received and referred.....	1657
reported and referred to committee of the whole.....	1787
reported and ordered to third reading.....	2217
passed.....	2349
163. To provide for the payment of appropriations:	
received and referred.....	1657
164. To authorize the board of supervisors of the county of Manitou to issue the bonds of said county to build county buildings:	
received and referred.....	1657
reported and referred to committee of the whole.....	1745-6
reported and ordered to third reading.....	2139
passed.....	2182
165. To amend an act entitled "An act to amend an act entitled 'An act for the incorporation of insurance companies, and defining their powers and duties,' approved March 28, 1867," by adding a section thereto, to stand as section 24:	
received and referred.....	1657
reported and referred to committee of the whole.....	1705
reported and ordered to third reading.....	2139
passed.....	2177
166. To amend section 30, of act number 169, of session laws of 1869, being an act to provide for the uniform assessment of property, and for the collection and return of taxes thereon, approved April 6, 1869:	
received and referred.....	1657
reported and referred to committee of the whole.....	1743-4
reported and ordered to third reading.....	2139
passed.....	2220
167. To authorize the common council of the city of Coldwater to remove the dead from a certain cemetery therein, and to vacate the same as a place of burial:	
received and referred.....	1658
reported and referred to committee of the whole.....	1739-40
reported and tabled.....	2405
168. A bill to amend sections 4 and 5 of an act entitled "An act for the appropriation of swamp lands to the counties of Houghton and Keweenaw, for the construction of the Mineral Range State road," approved March 20, 1863, as amended by act number 65, of the session laws of 1865:	
received and referred.....	1660
reported and referred to committee of the whole.....	1739
reported and ordered to third reading.....	2217
lost, reconsidered and tabled.....	2346-7
taken from table and passed.....	2372

SENATE BILLS:

169. To add certain sections to the general railroad law :	
received and referred.....	1660
reported and referred to committee of the whole.....	1738
reported and ordered to third reading.....	2215
passed.....	2348
170. To amend sections 1, 4, 5, 8, 15, 28, 39, and 59, of act number 257, of session laws of 1869, approved March 12, 1869, entitled "An act to incorporate the city of Hillsdale:"	
received and referred.....	1660
reported and ordered to third reading.....	1700
passed.....	1730-1
171. To amend an act entitled "An act relative to the letting of contracts by State officers, boards of control, inspectors, or commissioners," being act 171, of session laws of 1861, approved March 15, 1861 :	
received and referred.....	1660
reported and referred to committee of the whole.....	2237
reported and ordered to third reading.....	2422
passed.....	2457
172. To amend section 19, of chapter 172, of the revised statutes of 1846, being section 6176 of the compiled laws, entitled "Of the State Prison and the government and discipline thereof:"	
received and referred.....	1660
reported and referred to committee of the whole.....	1788
reported and ordered to third reading.....	2215
recommitted, reported and passed.....	2344-5
173. Making appropriations for the State Reform School for the years 1871 and 1872 :	
received and referred.....	1660
reported and referred to committee of the whole.....	1697
committee of the whole discharged from and passed.....	1924-5
174. To organize the county of Presque Isle :	
received and referred.....	1661
reported and referred to committee of the whole.....	1697
committee of the whole discharged from and passed.....	1702
175. To detach the county of Manitou from the thirteenth judicial circuit, and attach the same to the eleventh judicial circuit :	
received and referred.....	1661
reported and ordered to third reading.....	1741-2
lost.....	1755-6
reconsidered and tabled.....	1761-2
taken from table and passed.....	2374
176. For the apportionment of Senators in the State Legislature :	
received and referred.....	1714
reported and referred to special committee.....	1740-1
reported and passed.....	2250-1
177. To amend act number 39, of the session laws of 1859, being an act entitled "An act authorizing the locating, establishing, and constructing of ditches, drains, and water-courses, by highway commissioners of townships, and repealing all acts relating thereto," approved March 17, 1859 :	
received and referred.....	1746
reported and referred to committee of the whole.....	1851
reported and all after enacting clause stricken out and enacting clause tabled.....	2222

INDEX.

2759

PAGE.

SENATE BILLS:

178. To amend sections 21 and 22 of an act entitled "An act for the incorporation of insurance companies, and defining their powers and duties," approved February 15, 1859, as amended by the several acts amendatory thereof:
received and referred..... 1747
reported and referred to committee of the whole..... 1928
reported and ordered to third reading..... 2219
passed..... 2353
179. To enlarge the corporate limits of the village of Buchanan:
received and referred..... 1747
reported and referred to committee of the whole..... 1994
reported and ordered to third reading..... 2221
passed..... 2367
180. To revise the laws providing for the incorporation of railroad companies:
received and referred..... 1824
reported and made special order..... 2223
considered in committee of the whole..... 2295-6
reported and ordered to third reading..... 2301-2
passed..... 2370-1
returned and amendments insisted on..... 2431
returned and committee of conference appointed on..... 2449-50
report of committee of conference on, concurred in..... 2482-3
181. To provide for the payment of the salaries of the State officers:
received and referred..... 1886
reported and referred to committee of the whole..... 2151
reported and ordered to third reading..... 2406
recommitted..... 2444
reported and passed..... 2445-8
journal amended in reference to..... 2462-3
182. To amend section 1, of act number 420, session laws of 1867, as amended by act 609, of the session laws of 1869, being an act entitled "An act to make an additional appropriation for the construction of the Midland City, Houghton Lake, and Grand Traverse Bay road," approved April 5, 1869:
received and referred..... 1888
reported and referred to committee of the whole..... 2144
reported and ordered to third reading..... 2423
lost, reconsidered and tabled..... 2453-4
taken from table and passed..... 2527
183. To detach the county of Emmet from the 11th judicial circuit, and attach the same to the 13th judicial circuit:
received and referred..... 1889
reported and referred to committee of the whole..... 1989
reported and ordered to third reading..... 2220
passed..... 2366
184. To amend section 10, of chapter 105, of the compiled laws, relative to filing of chattel mortgages:
received and referred..... 1891
reported and referred to committee of the whole..... 1939-40
reported and ordered to third reading..... 2220
passed..... 2365

	PAGE.
SENATE BILLS:	
185. To amend section 4, of act number 119, of the session laws of 1869, entitled "An act to provide for the incorporation of savings associations," approved April 3, 1869, and to add three new sections thereto, to stand as sections 22, 23, and 24:	
received and referred.....	1948
reported and referred to committee of the whole.....	2201
reported and ordered to third reading.....	2422
passed.....	2455
186. Authorizing the common council of the city of East Saginaw to make a re-assessment to defray the expense of a public improvement on Water street in said city:	
received and passed.....	1955
187. Authorizing the common council of the city of East Saginaw to make a re-assessment to defray the expense of a public improvement on Washington street in said city:	
received and passed.....	1955-7
188. Authorizing the common council of the city of East Saginaw to make a re-assessment to defray the expense of a public improvement on Genesee street, in said city:	
received and passed.....	1955-8
189. To amend section 4, of act number 55, of the session laws of 1867, being an act to provide for county superintendents of schools:	
received and referred.....	1960
reported and tabled.....	2275
190. To incorporate the village of Galien:	
received and referred.....	1960
reported and referred to committee of the whole.....	2047
reported and ordered to third reading.....	2221
passed.....	2337
191. To attach certain territory, to wit: Big Summer Island, St. Martin's Island, Gull Island, and Poverty Island, to Delta county:	
received and referred.....	1960
reported and referred to committee of the whole.....	1994
reported and ordered to third reading.....	2221
passed.....	2368
192. Appropriating one section of State swamp land to each mile of the Green Bay and Bay De Noquet State road, in Menominee county, to secure the completion of the same:	
received and referred.....	1960
reported and referred to committee of the whole.....	2035
reported and ordered to third reading.....	2221
passed.....	2309
193. To provide for the appointment of a board of commissioners for the general supervision of penal, pauper, and reformatory institutions, and defining their duties and powers:	
received and referred.....	2040
reported and referred to committee of the whole.....	2242
reported and ordered to third reading.....	2423
passed.....	2460
194. To provide for laying out and establishing a State road in the county of Houghton:	
received and referred.....	2049
reported and referred to committee of the whole.....	2145
reported and ordered to third reading.....	2422
passed.....	2452

INDEX.

2761

PAGE.

SENATE BILLS :

195. To amend sections 4, 36, 69, and 70, of an act entitled "An act to incorporate the city of Charlotte," approved March 29, 1871 :	
received and passed.....	2128
196. To amend sections 84 and 66 of an act entitled "An act to incorporate the city of Coldwater," approved February 28, 1861 :	
received and referred.....	2184
reported and referred to committee of the whole.....	2146
reported and ordered to third reading.....	2424
passed.....	2451
197. To amend sections 6, 14, and 19 of an act entitled "An act to revise and amend an act entitled 'An act to revise and amend an act entitled An act to incorporate the city of Bay City, approved March 21, 1865,' being act number 848, of the session laws for the year 1869," approved March 20, 1869 :	
received and referred.....	2184
reported and referred to committee of the whole.....	2150
committee of the whole discharged from and ordered to third reading.....	2521
passed.....	2530
198. To amend the charter of the city of Jackson :	
received and referred.....	2184
reported and passed.....	2147
199. To provide for the drainage and reclamation of swamp lands, by means of a State road and ditches from Little Traverse Bay, in the county of Emmet, in an easterly direction, to intersect the Duncan and Alpena State road, at or near the junction of the Crawford Quarry branch with the Duncan and Alpena State road :	
received and referred.....	2153
reported and tabled.....	2542
200. To provide for the election of three general and two special county highway commissioners in the several counties of this State :	
received and referred.....	2307
reported and tabled.....	2310
201. To confirm and legalize the action of the board of supervisors of the county of Houghton, in consenting to the building of a bridge across Portage lake, in said county :	
received and referred.....	2380
reported and referred to committee of the whole.....	2309-10
reported and ordered to third reading.....	2424
passed.....	2477-8
202. To legalize the tax and assessment rolls of the village of New Baltimore for the years A. D. 1869 and 1870, and to renew and continue in force the warrants attached to said tax and assessment rolls :	
received and referred.....	2289
reported and referred to committee of the whole.....	2310-11
reported and ordered to third reading.....	2423
passed.....	2485

SENATE BILLS:

203. To require railroad corporations to keep open ticket offices at passenger stations for the sale of tickets, thirty minutes before the advertised time of the starting of all passenger trains : received and referred.....	2290
substitute reported for, adopted, and ordered to third reading.....	2474
passed.....	2486
203½. To lay out and establish a swamp land State road from the center of the township of Dorr to the center of the township of Salem, in Allegan county, the same to be known as the Dorr and Salem swamp land State road : received and referred.....	2322
reported and tabled.....	2539
204. To provide for the drainage and reclamation of swamp lands, by means of a State road from the village of Leland, in the county of Leelanaw, to the village of Northport, in said county : received and referred.....	2322
reported and tabled.....	2540
205. To lay out and establish a swamp land State road from the village of Bangor to the village of South Haven, in the county of Van Buren, the same to be known as the Bangor and South Haven swamp land State road : received and referred.....	2322
reported and tabled.....	2539
206. To amend sections one and three, of act number 76, of the session laws of 1867, being an act entitled "An act to provide for the appointment of a commissioner to be known as the Swamp Land State Road Commissioner," approved March 21st, 1867, as amended by act number 122, of the session laws of 1869, approved April 3, 1869 : received and referred.....	2325
reported and referred to committee of the whole.....	2399
committee of the whole discharged from, and ordered to third reading.....	2521
207. To authorize the establishment of a House of Correction in the county of Jackson : received and referred.....	2360
reported and referred to committee of the whole.....	2428
committee of the whole discharged from, and ordered to third reading.....	2522
passed.....	2533
208. To amend sections 15, 16, 18, 25, and 164, of an act entitled "An act to provide for the uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, A. D. 1869 : received and referred.....	2418
reported and tabled.....	2513
209. To provide for the appointment of a State Reporter : received and referred.....	2430
reported and ordered to third reading.....	2473
passed.....	2484
210. Directing the Secretary of State to provide the electors of this State uniform ballots on constitutional amendments : received and referred.....	2465
reported and ordered to third reading.....	2502
passed.....	2513-44

SENATE BILLS:

211. To amend "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils," approved April 8, 1869, and to add a new section thereto, to stand as section 8, and to repeal an act entitled "An act to amend sections 1, 2, and 6 of an act entitled 'An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils,' approved April 3, 1869, being act number 128, of the session laws of 1869, and to add thereto a new section, to stand as section 8 of said act," approved March 22, 1871:	
received and referred.....	2468
reported and tabled.....	2526-7
taken from table and re-tabled.....	2529
212. To amend section 81, of act number 16, of the session laws of 1862, being an act for the reorganization of the military forces of the State of Michigan:	
received and referred.....	2471
213. To amend section one of an act entitled "An act relating to laying out, altering, and discontinuing highways," approved March 15, 1861:	
received and passed.....	2518